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### The blemished body

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RIJKSUNIVERSITEIT GRONINGEN

**THE BLEMISHED BODY**  
DEFORMITY AND DISABILITY IN THE QUMRAN SCROLLS

Proefschrift

ter verkrijging van het doctoraat in de  
Godgeleerdheid en Godsdienstwetenschap  
aan de Rijksuniversiteit Groningen  
op gezag van de  
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te Almelo

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Prof. dr. G.H. van Kooten  
Prof. dr. T. Nicklas

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*Voor Fokke en Rynke*

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Anke Dorman  
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## ABBREVIATIONS

AB	Anchor Bible
ABD	D.N. Freedman (ed.), <i>The Anchor Bible Dictionary</i> (6 vols.; New York, 1992)
ACBI	Academia Biblica
<i>ActOr</i>	<i>Acta Orientalia</i>
AnBib	Analecta biblica
<i>ASTI</i>	<i>Annual of the Swedish Theological Institute</i>
ATD	Das Alte Testament Deutsch
<i>BA</i>	<i>Biblical Archaeologist</i>
<i>BASOR</i>	<i>Bulletin of the American Schools of Oriental Research</i>
BBB	Bonner Biblische Beiträge
BETL	Bibliotheca ephemeridum theologicarum lovaniensium
BibOr	Biblica et orientalia
<i>BJRL</i>	<i>Bulletin of the John Rylands University Library of Manchester</i>
BJS	Brown Judaic studies
<i>CAD</i>	<i>The Assyrian Dictionary of the Oriental Institute of the University of Chicago</i> , 1956-
CB	Century Bible
CBCNEB	The Cambridge Bible Commentary New English Bible
<i>CBQ</i>	<i>Catholic Biblical Quarterly</i>
CC	Continental Commentaries
CJAS	Christianity and Judaism Antiquity Series

## THE BLEMISHED BODY

ConBNT	Coniectanea Biblica. New Testament Series
CQS	Companion to the Qumran Scrolls
DJD	Discoveries in the Judean Desert
<i>DSD</i>	<i>Dead Sea Discoveries</i>
DSSR	The Dead Sea Scrolls Reader
<i>DSSSE</i>	<i>Dead Sea Scrolls Study Edition</i>
<i>EncDSS</i>	L.H. Schiffman and J. VanderKam (eds.), <i>Encyclopedia of the Dead Sea Scrolls</i> (2 vols.; New York, 2000)
<i>ET</i>	<i>Expository Times</i>
<i>ETL</i>	<i>Ephemerides Theologicae Lovanienses</i>
FAT	Forschungen zum Alten Testament
<i>FO</i>	<i>Folia Orientalia</i>
<i>HAR</i>	<i>Hebrew Annual Review</i>
HAT	Handbuch zum Alten Testament
HSS	Harvard Semitic Studies
HSMM	Harvard Semitic Museum Monographs
<i>HTR</i>	<i>Harvard Theological Review</i>
<i>HUCA</i>	<i>Hebrew Union College Annual</i>
HUCM	Monographs of the Hebrew Union College
<i>IEJ</i>	<i>Israel Exploration Journal</i>
<i>IMJ</i>	<i>Israel Museum Journal</i>
<i>JJS</i>	<i>Journal of Jewish Studies</i>
<i>JSJ</i>	<i>Journal for the Study of Judaism</i>

## ABBREVIATIONS

JSJSup	Supplements to the Journal for the Study of Judaism
JSOTSup	Journal for the Study of the Old Testament – Supplement Series
JSPSup	Journal for the Study of the Pseudepigrapha - Supplement Series
<i>JQR</i>	<i>Jewish Quarterly Review</i>
JQRMS	Jewish Quarterly Review Monograph Series
KHCAT	Kurzer Hand-Commentar zum Alten Testament
<i>NEA</i>	<i>Near Eastern Archaeology</i>
NICOT	The New International Commentary on the Old Testament
<i>NRTh</i>	<i>Nouvelle revue théologique</i>
<i>PEQ</i>	<i>Palestine Exploration Quarterly</i>
PTSDSSP	The Princeton Theological Seminary Dead Sea Scrolls Project
<i>RB</i>	<i>Revue Biblique</i>
<i>REJ</i>	<i>Revue des Études Juives</i>
<i>ReScRel</i>	<i>Recherches de Science Religieuse</i>
<i>RevQ</i>	<i>Revue de Qumran</i>
<i>RGG3</i>	K. Gallig (ed.), <i>Religion in Geschichte und Gegenwart</i> (7 vols.; Tübingen, <sup>3</sup> 1957-65)
SAOC	Studies in Ancient Oriental Civilization
SBLMS	Society of Biblical Literature Monograph Series
<i>SBLSP</i>	<i>Society of Biblical Literature Seminar Papers</i>
SBLSymS	Society of Biblical Literature Symposium Series
SBT	Studies in Biblical Theology
ScrHier	Scripta Hierosolymitana

## THE BLEMISHED BODY

SCS	Septuagint and Cognate Studies
<i>Sem</i>	<i>Semitica</i>
SSN	Studia Semitica Neerlandica
SUNT	Studien zur Umwelt des Neuen Testaments
STDJ	Studies on the Texts of the Desert of Judah
STJHC	Studies and Texts in Jewish History and Culture
<i>TLZ</i>	<i>Theologische Literaturzeitung</i>
TSAJ	Texte und Studien zum antiken Judentum
TVOa	Testi del Vicino Oriente antico
<i>TWAT</i>	G.J. Botterweck and H. Ringgren (eds.), <i>Theologisches Wörterbuch zum Alten Testament</i> , Stuttgart, 1970-
<i>TZ</i>	<i>Theologische Zeitschrift</i>
<i>VT</i>	<i>Vetus Testamentum</i>
VTSup	Vetus Testamentum, Supplements
WBC	Word Biblical Commentary
WUNT	Wissenschaftliche Untersuchungen zum Neuen Testament
ZAW	<i>Zeitschrift für die alttestamentliche Wissenschaft</i>



# Introduction

This investigation is devoted to the exploration of disability in the Qumran Texts. This chapter introduces the subject of the investigation. After a short introduction of the history of Qumran research, it is explained how this investigation understands the term “disability.” Next, this chapter discusses earlier studies of disability in Hellenistic-Early Roman period Judaism.<sup>1</sup> It is shown that studies devoted to the topic are very limited. Finally, this chapter presents the aims and methods of this investigation.

## Qumran

The history of Qumran scholarship began in 1947.<sup>2</sup> In this year Bedouins found jars with scrolls hidden in a cave in the hills north of Qumran, near the Dead Sea. The jars contained Hebrew texts. In subsequent years, more caves with texts and fragments of texts were discovered in the same area. The discovery of the Qumran Scrolls is one of the greatest manuscript discoveries ever and has been of immense scholastic importance.

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<sup>1</sup> Hellenistic-Early Roman period Judaism is understood as the period between approx. the third century BCE to the first century CE.

<sup>2</sup> See, e.g., Florentino García Martínez, “The Great Battles Over Qumran,” *Near Eastern Archaeology* 63.3 (2000), 124-130; Philip R. Davies, George J. Brooke and Phillip R. Callaway, *The Complete World of the Dead Sea Scrolls* (London: Thames & Hudson, 2002); Farah Mébarki and Émile Puech (eds.), *Les manuscrits de la mer Morte* (Rodez: Rouergue, 2002); James C. VanderKam and Peter W. Flint, *The Meaning of the Dead Sea Scrolls: Their Significance for Understanding the Bible, Judaism, Jesus, and Christianity* (London: T&T Clark, 2005); Timothy H. Lim, *The Dead Sea Scrolls: A Very Short Introduction* (VSI; Oxford: Oxford University Press, 2005).

The texts that were found consist of a variety of literary texts that were copied between the third century BCE and the first century CE. The Qumran text corpus can be divided into biblical and non-biblical religious documents. The latter category can be sub-divided into sectarian and non-sectarian literature. Not only more-or-less intact scrolls were found, but also numerous fragments of scrolls. A rough estimation of the amount of fragments found is more than 40,000, which once belonged to at least 900 different manuscripts. This is, of course, an enormous amount but unfortunately, most fragments are very small and at least 90 percent of the scrolls have been lost. Together, all these fragments are a very valuable remnant of what once was an enormous collection.

The Qumran Texts are very important because they contain the oldest known biblical manuscripts texts that are much older than the oldest biblical manuscripts known thus far. They contribute significantly to the discussion about the reliability of the tradition of the Hebrew Bible. Most biblical Qumran texts correspond in a large part to the texts known from the Hebrew Bible. However, variants between manuscripts and other types of biblical manuscripts may be even more interesting. Together with the non-biblical texts they show that Judaism in the first centuries BCE and CE was very multifarious and that society knew a variety of religious communities that produced their own religious and non-religious texts. For that reason, it is perhaps more accurate to speak about *Judaisms* in this period.

For decades, Qumran researchers were busy making an inventory of, investigating and translating the numerous text fragments found in the desert of Judah. They reconstructed the cultural and historical background of the texts, sketched the ideologies of the communities responsible for the texts and made an effort to reconstruct the history of the community that lived in Qumran. One of the important outcomes of all this hard work is that it helps to interpret the Hebrew Bible and the origins of Christianity and Judaism from a new angle. Now that all the texts and fragments have been officially published and the general questions about history and ideology have had a great deal of attention scholars, in recent years, have begun to focus on making more detailed studies of the smaller issues in Qumran studies. Excellent recent studies are, for example, Cecilia Wassen's *Women in the*

*Damascus Document* (2005) and Mladen Popović's *Reading the Human Body* (2006).<sup>3</sup>

The present study focuses on the subject of disability<sup>4</sup> and is embedded in the NWO research program "Embodiments of Judaism in the Hellenistic and Early Roman Period," directed by Professor Eibert J.C. Tigchelaar. The aim of this project is to investigate to what extent attitudes toward the body reflect the differences in the organization of social bodies in the period between 200 BCE and the first century CE. The body can be viewed as a carrier of meanings, and through the body, people interact with, relate to and experience the world. This study surveys all Qumran texts that refer to disability and investigates the way in which they reflect social and religious attitudes toward persons with physical disabilities. It sheds light on the social position of persons with physical disabilities by investigating the consequences of disability in regards to social and religious participation. The attitudes towards persons with disabilities reflect their culture. It explores the underlying motivations for the construction of ideas about disability that appear in the sources. Different attitudes reflect various social organizations and expose differences between groups that were responsible for the composition of the Qumran scrolls. The nature of the sources used in this study does not allow for an analysis of the meaning that disabled persons bestowed on their bodies, or how these people experienced their bodies.<sup>5</sup> Personal experiences played no role in the society under consideration and in the literature that this society produced.

Disability is not a subject overly referred to in the Qumran scrolls. In fact, the contrary is true. Out of all the texts found in the caves at Qumran, no more than five documents relate to the topic: the *War Scroll*, the *Temple*

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<sup>3</sup> See Cecilia Wassen, *Women in the Damascus Document* (ACBI 21; Atlanta: Society of Biblical Literature, 2005); Mladen Popović, *Reading the Human Body. Physiognomics and Astrology in the Dead Sea Scrolls and Hellenistic-Early Roman Period Judaism* (forthcoming 2007).

<sup>4</sup> In the *International Classification of Functioning, Disability and Health* (ICF) (World Health Organization, 2001) the *World Health Organization* formulated the classification of the terms disability and impairment that are applied to this study. *Impairments* are defined as "problems in body function or structure as a significant deviation or loss" (ICF, 12). "[D]isability serves as an umbrella term for impairments, activity limitations or participation restrictions" (ICF, 3). Further, this study uses the term *deformity* to refer to an aspect of impairment that is understood as a deviation or loss but causes no problems in bodily functioning.

<sup>5</sup> This study uses masculine conjugations, but interprets the noun "person" to include both female and male human beings.

*Scroll*, the *Damascus Document*, the *Rule of the Congregation*, and *MMT*. The scarce information about disability in the Qumran scrolls has not exactly encouraged scholars to investigate the topic in depth. This is the reason why only a handful of articles and paragraphs, which are discussed below, have been devoted to the study of disability in the Qumran scrolls. The study of disability in other literary sources that originate from the same period is equally sparse. Disabled persons seem to be almost absent in these texts and scholars who study these documents hardly ever investigate this subject in great detail.

### **Disability**

Modern studies' negligence of disability in ancient literature and modern studies is remarkable, because disability may have been more widespread in the period under consideration than it is today.<sup>6</sup> A large part of the population must have had some kind of what, nowadays, would be regarded as a disability. Apart from congenital disabilities, chances were high that people would become disabled due to, for example, improperly healed bone fractures, warfare, childbirth complications, diseases, malnutrition, or aging. Of course, there were no glasses, hearing aids, operations or other aids to solve some of the most prevalent physical limitations that are not considered a disability today. Only the rich could afford a doctor and for that reason even a small accident, such as a broken arm or leg, or a dislocated shoulder, could result in a permanent disability or physical deformity. It is intriguing to notice that there is so little information about such a common aspect of human life.

Disability is a modern term that only functions in relation to other terms, such as ability and physical perfection. Ideas about what constitutes a disability vary from culture to culture and from era to era. Moreover, something that is interpreted a disability in one situation may not be understood as a disability in another context. It is very important to realize that what is considered as a disability today may not have been considered as a disability in the first two centuries BCE and CE, and vice versa. This is why this study does not strictly define beforehand what kind of terms might be shared under the categories of disability and physical deformity. To a

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<sup>6</sup> The hardships of life in the ancient world are vividly sketched by Robert Garland in his monograph *The Eye of the Beholder. Deformity and Disability in the Graeco-Roman World* (Ithaca: Cornell University Press, 1995), 11-27.

certain degree, the texts speak for themselves.<sup>7</sup> This can be done because this study does not interpret disability primarily as a particular physical malfunctioning that must be cured or ignored. Rather, it takes the social, cultural, political and economical context of disability into account.<sup>8</sup> Therefore, this study does not focus on the impairment as such or on how a person reflects on his disability, rather on how the texts and the communities behind the texts reflect on disability.

### Previous studies

The study of disability from a socio-historical perspective is a rather neglected scholarly topic. This is not only true when it comes to the study of disability in the Qumran Scrolls, but even when the viewpoint is broadened to the Hebrew bible, the New Testament, or more generally, to the Greco-Roman period. Below the most important studies are discussed.

Hector Avalos' literary-historical and medical-anthropological study investigates the relationship between health care and its socio-religious context.<sup>9</sup> The study examines the relationship between Israel's health care system and temple, and that of Greece and Mesopotamia. The scholarly importance of this examination is that Avalos provides a comprehensive treatment of Israel's health care system and that he integrates insights from medical anthropology into biblical studies. Yet, the focus on the multiple functions of the temple limits the sociological scope of the study. Avalos' conclusions about the treatment of persons who suffer from illnesses<sup>10</sup> are limited to the evaluation of conceptions about illness as related to impurity

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<sup>7</sup> Yet, it is very well acknowledged that there will always remain traces of anachronisms because investigating disability as a distinguished category is a modern approach.

<sup>8</sup> These categorizations stem from the field of *Disability Studies* that is rooted in the *civil rights movement*. This is a relatively new interdisciplinary research field that operates both on the academic and political level. Disability Studies strive to make disability visible in scholarship and in daily life by using a new approach to disability. It departs from the traditional approach, the so-called medical-individual model that primarily focuses on the physical impairment. The medical model sees disability as a category that has to be cured or ignored. In this model, environment and social structures play no role. The medical model focuses on the individual and the problems this individual encounters due to his disability. This is the reason why *Disability Studies* favours an alternative approach to disability and uses a social-functional model. This model does justice to the idea that disability is embedded in a context of social, cultural, political, and economic factors. Disability is regarded as a natural aspect of human life instead of as an ailment that has to be cured.

<sup>9</sup> Hector Avalos, *Illness and Health Care in the Ancient Near East. The Role of the Temple in Greece, Mesopotamia, and Israel* (HSM 54; Atlanta: Scholars Press, 1995)

<sup>10</sup> In Avalos' study illness includes disabilities.

and sin. Very little is said about the treatment of disability in the Qumran Scrolls.<sup>11</sup> His observation that persons with illnesses were not admitted in the community and excluded from the ideal sanctuary and city certainly needs to be more developed.<sup>12</sup>

A significant study of disability in the Greco-Roman world is Robert Garland's *The Eye of the Beholder*.<sup>13</sup> In his excellently written monograph, Garland uses archaeological and literary material as a starting point for his investigation into Greco-Roman representations of disability. Garland examines many different topics that are helpful to scholars studying disability from various angles. His observation that disability was a prevalent social reality afflicting a large part of the population is especially illuminating. Thus, although the monograph does not discuss Jewish culture, but Greek and Roman, Garland's methods and some of his conclusions are valuable for this study.

The New Testament frequently refers to lame, blind and deaf persons, and to persons with other disabilities. However, there are no comprehensive studies from a literary-historical and anthropological perspective that address the social position of disabled persons. In the New Testament, disabled persons are known from the healing narratives.<sup>14</sup> This may explain the medical perspective of most studies. Disability is connected to sickness, disease, and healing. Thus, it is placed and examined in the context of health care.<sup>15</sup> Examining the concept of healing, John Pilch investigates the healing narratives in the New Testament. Medical and Mediterranean methodology provide a new understanding of these stories.

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<sup>11</sup> This is also not Avalos' intention as he writes that "(...) we shall not attempt to make a detailed study of illness and health care in the Qumran community (...)." Avalos, *Illness and Health Care*, 375.

<sup>12</sup> Avalos, *Illness and Healthcare*, 323-324, 376.

<sup>13</sup> Robert Garland, *The Eye of the Beholder. Deformity and Disability in the Graeco-Roman World* (Ithaca: Cornell University Press, 1995). Other monographs devoted to the study of disability in the Greco-Roman world are, e.g.: Fareed Haj, *Disability in Antiquity* (New York: Philosophical Library, 1970); V. Dasen, *Dwarfs in Ancient Egypt and Greece* (Oxford: Clarendon Press, 1993); Martha Lynn Edwards, *Physical Disability in the Ancient Greek World* (Diss.; University of Minnesota, 1995).

<sup>14</sup> See e.g., Matt 4:23-24; 8:5-13; 9:2-8; 9:27-30; 11:25; 12:9-13; 15:30; 20:29-34; 21:14; Mark 2:3-12; 3:1-5; 7:32-35; 8:22-25; 10:49-52; Luke 5:17-25; 6:6-10; 7:21-22; 13:10-14; 18:35-43; John 5:2-9; 9:1-7; Acts 3:2-16; 8:6-8; 14:8-10.

<sup>15</sup> See Hector Avalos, *Health Care and the Rise of Christianity* (Peabody: Hendrickson Publishers, 1999); John J. Pilch, *Healing in the New Testament. Insights from Medical and Mediterranean Anthropology* (Minneapolis: Fortress Press, 2000);

Pilch sheds light on the social position of sick persons and explores the attitudes toward them. The focus of his study on the concepts of illness, curing and healing prevents a complete understanding of the treatment of disability in the New Testament. Moreover, Pilch does not separate disability from illness, which is confusing for scholars exclusively interested in the first category. A second interesting study that treats disability in the New Testament is *Health Care and the Rise of Christianity* by Hector Avalos. Again Avalos treats health care issues, so his monograph is in part a continuation of *Illness and Health Care in the Ancient Near East*. This perspective shifted from the impact of the temple to the influence of health care in regards to the appeal of Christianity in its early days. In this study Avalos pays more attention to the social construction of attitudes toward persons with illnesses. The study examines an impressive collection of ancient literature, including the Qumran Scrolls. Yet, Avalos' interpretation of this material is, once more, superficial, as he gets no further than to conclude that some Qumran authors excluded persons with disabilities, and that other texts display them as impure.<sup>16</sup> Moreover, he does not refer to all documents that contain references to persons with disabilities.

When it comes to studies on disability in the context of Second Temple Judaism that are not connected with the New Testament, most studies again focus on sickness and health care, and hardly discuss disability and deformity as a separate category.<sup>17</sup> Yet, a general survey of attitudes towards disability displayed in biblical up until rabbinic literature is provided in Judith Abrams' *Judaism and Disability*.<sup>18</sup> Abrams sketches the development of attitudes towards disability from the priestly era to the time of the sages. In her view, the priestly system and the system of the sages maintained a different structure of thought. The priestly system was, according to Abrams, based on lineage in which a blemish-free, perfect body was essential. In the system of the sages, emphasis was on cognitive, oral, and moral skills. In this latter system the term *da'at*, "cognition/consciousness," played an important role. Abrams' work is probably addressed to a wider audience, because it lacks scholarly

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<sup>16</sup> 25,35,43;

<sup>17</sup> The most extensive study treating disability from a medical viewpoint is: Julius Preuss, *Biblisch-talmudische Medizin. Beiträge zur Geschichte der Heilkunde und der Kultur überhaupt* (Berlin: Verlag von S. Karger, 1911).

<sup>18</sup> Judith Abrams, *Judaism and Disability. Portrayals in Ancient Texts from the Tanach through the Bavli* (Washington: Gallaudet University Press, 1998).

profoundness. The conclusions are not based on all available literature from the period she discusses, which leaves much room for doubt. Although she mentions some early Jewish texts, Abrams particularly emphasizes the adoption of Jewish tradition by the sages, which makes the title of her study somewhat misleading. Moreover, it is questionable to presume one coherent system of thought behind each system. In other words, Abrams presupposes one single clue behind each system of thought that explains the treatment of disability in the literature under consideration. This is too optimistic.

Tzvi Marx's study with the promising title *Disability in Jewish Law* discusses attitudes toward disabled persons reflected in the halakhic sources.<sup>19</sup> Marx, however, focuses on the meaning these sources have for present readers, and does not discuss the position of disabled persons in the historical context. Although it is an excellent comprehensive examination, it does not contribute to this study.

Having one specific disability as a focal point, the still unpublished dissertation by Felix Just offers a literary, sociological and anthropological study on blind persons.<sup>20</sup> Just uses the Hebrew Bible, the New Testament, Hellenistic Jewish (including Qumran), and Greco-Roman materials as well as a small number of Ancient Near Eastern writings as source material in order to obtain a better understanding of the New Testament stories in which blind persons play an important role. Although his study deals with one particular disability, it is a great contribution to the general understanding of disability in biblical times. His study begins with a determination of the terminology in regards to blindness used in the sources. He states that distinct vocabulary is used to describe various kinds of blindness in almost all the languages in the sources. Just also investigates the social position of blind persons. He challenges, for example, the assumption that all persons with a visual impairment were poor, immobile, or that they had low status. Just uses multiple methods resulting in an examination of the position of blind persons from different angles, which is illuminating. Despite the thoroughness of Just's investigation, there are some points of contention between his dissertation and this study. These points are discussed in the following chapters.

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<sup>19</sup> Tzvi C. Marx, *Disability in Jewish Law* (Jewish Law in Context 3; London/New York: Routledge, 2002).

<sup>20</sup> Felix N.W. Just, *From Tobit to Bartimaeus, From Qumran to Siloam: The Social Role of Blind People and Attitudes Toward the Blind in New Testament Times* (Diss; Yale University, 1997).



## Disability and Qumran

Several articles and book parts are devoted to the study of disability in the Qumran scrolls. These are discussed further. No monographs have thus far appeared on the subject. Recently, an article was published discussing all texts referring to disability.<sup>21</sup> Most examinations, however, are either devoted to one or more texts (but not all) or to one or more specific kind of disability. Examples of studies that are primarily concerned with one or more texts that are literary very closely related are those of Lawrence Schiffman,<sup>22</sup> Aharon Shemesh,<sup>23</sup> and Cecilia Wassen.<sup>24</sup> Other studies concentrate on specific disabilities that occur in the texts. Examples of this category are Saul Olyan's study "The Exegetical Dimensions of Restrictions on the Blind and the Lame in Texts from Qumran,"<sup>25</sup> and the sections dealing with blindness in Qumran literature in the above-mentioned dissertation by Felix Just.<sup>26</sup>

Schiffman explores the motivation behind the exclusion of impure, deformed or elderly people from the eschatological assembly in the *Rule of the Congregation* (1QSa).<sup>27</sup> He concludes that the motivation for the exclusion of these categories of people is rooted in Leviticus 13 and 21. The members of the community behind the *Rule of the Congregation* extended the priestly ideas about holiness and perfection reflected in Leviticus, because they wanted to meet the highest standards of purity and perfection at the end of days. Schiffman refers to two other Qumran texts that also

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<sup>21</sup> Katell Berthelot, "La place des infirmes et des 'lépreux' dans les textes de Qumrân et les évangiles," *RB* 113.2 (2006), 211-241.

<sup>22</sup> Lawrence H. Schiffman, "Purity and Perfection: Exclusion from the Council of the Community in the *Serekh Ha-'Edah*," in: J. Amitai (ed.), *Biblical Archaeology Today: Proceedings of the International Congress on Biblical Archaeology, Jerusalem, April 1984* (Jerusalem: Israel Exploration Society, The Israel Academy of Sciences and Humanities, in cooperation with the American Schools of Oriental Research, 1985), 373-389; Idem, *The Eschatological Community of the Dead Sea Scrolls* (SBLMS 38; Atlanta: Society of Biblical Literature, 1989), 37-52.

<sup>23</sup> Aharon Shemesh, "'The Holy Angels are in Their Council': The Exclusion of Deformed Persons from Holy Places in Qumranic and Rabbinic Literature," *DSD* 4.2 (1997), 179-206.

<sup>24</sup> Wassen, *Women*, 131-156.

<sup>25</sup> Saul M. Olyan, "The Exegetical Dimensions of Restrictions on the Blind and the Lame in Texts from Qumran," *DSD* 8.1 (2001), 38-50.

<sup>26</sup> Just, *From Tobit to Bartimaeus*. For a short introduction to Just's work, see above.

<sup>27</sup> Schiffman, "Purity and Perfection," 373-389; Idem, *Eschatological Community*, 37-52.

exclude disabled persons for the same reasons: the *War Scroll* and the *Temple Scroll*.

Shemesh examines all Qumran texts that exclude disabled persons because of the presence of holy angels: the *War Scroll* (1QM), the *Rule of the Congregation* (1QSa), and the *Damascus Document* (D).<sup>28</sup> The aim of his study is to highlight rabbinic halakhic developmental aspects, and to clarify features of Qumran literature. He concludes that the exclusion of deformed persons from holy places is shared both by the rabbinic and Qumran tradition. The presence of these people is thought to be antithetical to the divine presence. This idea is rooted in the disqualification of deformed priests in Leviticus 21. Other traditions have also left their mark in individual texts. In the proceeding chapters of this investigation it is shown that Shemesh' identification of possible source texts was constructive in the construction of attitudes toward disabled persons that are reflected in the scrolls. Another interesting observation made by Shemesh is that although in some cases disabled persons are excluded, there also seems to be a tendency in both traditions to view disabled persons as an integral part of society.

In her comprehensive study on women in the *Damascus Document*, Wassen devotes a section to legislation pertaining to excluded categories in the document.<sup>29</sup> The legislation that excludes certain categories of persons belongs to a larger section devoted to community entrance and the celebration of the Feast of Weeks.<sup>30</sup> Although this study disagrees with Wassen on some points, her interpretation contributed greatly to this study. Not only did it benefit from the detailed literary analysis of that section of her study, but it also provided a key for a whole new interpretation. In Chapter 4 it is shown that Wassen's short remark that the section could be read in the context of the celebration of the Feast of Weeks,<sup>31</sup> puts the exclusion of disabled persons in a new perspective.

In an article that appeared in 2001, Saul Olyan investigates the exegetical reworking in Qumran texts that deal with restrictions on blind and lame persons.<sup>32</sup> Olyan's study shows, that these texts are rooted in various and not always identical, traditions. This is an important observation, as it

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<sup>28</sup> Shemesh, "The Holy Angels," 179-206.

<sup>29</sup> Wassen, *Women*, 131-156.

<sup>30</sup> See CD 15:5-16:2; 4Q266 f8i:1-10; 4Q270 f6ii:5-10; 4Q271 f4ii:1-4a.

<sup>31</sup> Wassen, *Women*, 136.

<sup>32</sup> Olyan, "Exegetical Dimensions," 38-50. Olyan treats the *Temple Scroll*, the *Rule of the Congregation*, and the *War Scroll*.

cautions scholars to treat Qumran corpus as a single coherent source that displays one single attitude towards disability. Moreover, the allusions to older traditions show how a Qumran document interpreted and adopted this tradition. Some remarks can be made about Olyan's conclusion, and these are discussed in the following chapters.

Earlier in the introduction it was stated that only one study exists which discusses all five Qumran texts that refer to disability.<sup>33</sup> That study was published in 2006, when this study was almost completed. In her article, Katell Berthelot draws attention to the exclusion of disabled persons from the community or from community gatherings. The reason for the exclusions, according to Berthelot, is the concern for purity and holiness that is an extension of the ideas about the exclusion of disabled priests in Leviticus 21. Berthelot admits that despite the exclusion in some instances, disabled persons still had their place in the community, be it a place of second rank.<sup>34</sup> Berthelot's observations are sensible at points, but they need to be more profoundly explored. First of all, Berthelot only distinguishes between persons suffering from leprosy and disabled persons. This would imply that the texts do not differentiate between the various sorts of disabilities and that rules applying to blind persons automatically affect persons who are, for example, lame. Secondly, although she refers to Leviticus 21 as an important source text for the construction of attitudes towards disability in the Qumran texts, she does not further examine other underlying motives or source texts for these ideas. Thirdly, Berthelot's article does not leave room to investigate the social position of persons with disabilities mentioned in the Qumran texts. Finally, the article does not explain exactly from what the disabled were excluded.

### **Aim and Outline of this Study**

The studies discussed above all helped to clarify parts of the central question of this study: *Where and how are attitudes toward disabled persons reflected in the Qumran scrolls, and what does this mean for the social and religious participation of disabled persons in the communities behind these texts?* This study fills a lacuna in Qumran scholarship because it is the first

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<sup>33</sup> Berthelot, "La place des infirmes," 211-241.

<sup>34</sup> Berthelot, "La place des infirmes," 222-223.

comprehensive survey of disability in Qumranic literature. Despite the investigations hitherto devoted to the topic, no study has provided an extensive survey and in-depth analysis of references to disability in the Qumran texts thus far.

This study is a literary investigation from a socio-historical perspective. This method has been chosen, because the literary-historical approach does not satisfactorily answer questions applying to the social construction of attitudes toward disability and the social situation of persons with disabilities. The aim of this study is to investigate the underlying motivations for the construction of ideas that appear in the sources. This study will treat all references to disability in the Qumran literature and evaluate attitudes toward disability from various angles.

Boundaries, of course, have to be set in order to keep this investigation transparent. The focus of this investigation is on physical deformities that can be categorized as disability. Physical disabilities in this study are generally understood as ailments or deformities of the body that are permanent, such as lameness, deafness, blindness, or disfigured body parts. Obviously, this is not an impermeable definition, since exceptions always remain.<sup>35</sup> Yet, the most important consequence of the present working definition is the fact that ailments that can be categorized as illnesses are not taken into consideration. Only when such a disease appears in the context of physical deformities, attention is paid to the matter. For this reason, passages dealing exclusively with leprosy or mental illnesses are not discussed.

In this investigation each Qumran document that contains references to disabilities is discussed in separate chapters. Each chapter has a similar structure: at the beginning of the chapter an introduction to the document under consideration is provided. After becoming acquainted with the text's historical and literary background, a close reading of the passage in which the reference to disability appears, follows. The textual analysis is followed by an examination of the social and religious attitudes toward disability reflected in the text in question. It is asked to whom the passages applies and in what particular situation. Moreover, the social and/or religious implications of disability for the group behind each document are evaluated.

It has already been stated that the construction of ideas about disability is influenced by the way in which biblical literature deals with the

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<sup>35</sup> For example, a person may have a blemish on the skin that is protracted, but not permanent.

topic. The most influential text is Leviticus 21:16-23. This text contains an elaborate list of physical deformities that is not found in any other biblical text. Because the construction of ideas about disability reflected in the Qumran texts bears heavily on Leviticus, Chapter 1 contains an analysis of this important source text.

The following chapters each discuss one Qumran text that refers to disability. The first three documents that are studied all relate to the presence of holy angels to explain the exclusion of disabled persons. Chapter 2 discusses the exclusion of disabled persons from the Holy Council in the *Rule of the Congregation* (1QSa 1:25-2:11). In Chapter 3, the presentation of disability in the *Damascus Document* is investigated. This document contains three passages that relate to disability. The longest passage of the three (CD 15:15-17; 4Q266 f8i:7-9; 4Q270 f6ii:8-9) refers to the holy angels as a motivation to exclude disabled persons from participating in the Feast of Weeks. Another passage in the *Damascus Document* is also disqualifying in character, because it forbids priests with speaking disabilities to read from the Torah (4Q266 f5ii:1-4; 4Q267 f5iii:1-6; 4Q273 f2:1-2). The third passage relating to disability in the *Damascus Document* demonstrates concern for the poor and needy (CD 14:12b-18a). Chapter 4 contains an investigation of the rules on the selection of warriors for the holy battle in the *War Scroll* (1QM 7:3b-8; 4Q491 f1-3:6-10). Among the categories of persons who are excluded from participation are the lame, blind and paralyzed men. The last two Qumran texts that contain regulations on disability are *MMT* and the *Temple Scroll*. Chapter 5 examines the law in 4QMMT B 49-54 that forbids blind and deaf persons to perform sacrifices in the sanctuary. Chapter 6 discusses two passages in the *Temple Scroll*, which consider disability. The first passage (11QT<sup>a</sup> 35:2-9) is in bad condition, but most likely refers to disabled priests. The second passage (11QT<sup>a</sup> 45:12-14/11QT<sup>b</sup> 12 f21i:6-7) is better preserved and deals with blind worshippers entering the sanctuary. Chapter 7 forms the conclusion.



# 1

## **Representations of Disability in Leviticus 21:16-23**

### **1.1 Introduction**

In Qumranic literature, the construction of ideas about disability is greatly influenced by the way in which biblical literature deals with the topic. In the following chapters it is shown that it is impossible to analyze texts containing references to disability without taking into account their biblical antecedents. This is the reason why the representations of disability in the Hebrew Bible are discussed first, before assessing the Qumran material. This chapter focuses on the exclusion of physically deformed priests in Leviticus 21:16-23.<sup>1</sup> This passage is the most important and lengthy source text for the representation of ideas about disability in most of the Qumran documents discussed in the following chapters.

### **1.2 Exclusion of Physically Deformed Priests in Leviticus 21:16-23**

Leviticus 21:16-23 contains an elaborate list of physical deformities that is not found in any other biblical text. Priests afflicted with any one of these were not allowed to approach the altar to offer YHWH's gifts. The

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<sup>1</sup> Closely related to the exclusion of priests with physical deformities in Lev 21:16-23 is the passage in Lev 22:21-25 that deals with the exclusion of physically deformed sacrificial animals. This passage is also discussed in this chapter.

deformities listed vary from ailments to specific body parts to general deformities afflicting the whole bodily appearance. The rationale for the prohibition seems unclear considering the diverse character of deformities mentioned in Lev 21:16-23. This is why the following paragraph investigates the possible motivations behind the exclusion of priests with physical blemishes. After that, it investigates the implications for a blemished priest's social status. Before addressing these two central questions, the text and context of Lev 21:16-23 are discussed, followed by an analysis of the text's grammatical, semantical and textual problems.

### 1.2.1 The Structure of Leviticus 21-22

The rule that no physically blemished priest may officiate at the altar is one of several regulations concerning the priesthood in general, which appear in Leviticus 21-22. This pericope belongs to a larger literary section (Lev 17-26) known as the *Holiness Code*, which is the most distinguished writing by the hand of the *Holiness School* (H). Research history on H is characterized by scholarly disagreement. Today the most supported position, also favoured in this study, is that H is a reinterpretation of Deuteronomy. Some scholars assume that H also takes up the P material, while others regard H as a product of the same redaction process to which P belongs as well.<sup>2</sup>

The name of the school and the code already indicate that holiness is very important. Central is the idea that the people of Israel must be holy since their God YHWH himself is the most holy being. This is frequently stressed throughout the Holiness Code by the phrase *כי אני יהוה* “because I am YHWH who sanctifies them (you)/him,”<sup>3</sup> and the summation, *והייתם קדשים כי קדוש אני*, “be holy, because I am holy.”<sup>4</sup> The Holiness Code deals with instructions and prohibitions for the community of Israel concerning everything that ordered daily life, such as sexual behavior, food, and clothing.

Within H, Leviticus 21-22 has a different angle, since it contains distinct vocabulary and deals with priestly matters instead of with regulations governing the lives of all the Israelites. Leviticus 21 and 22 both

<sup>2</sup> See K. Elliger, *Leviticus* (HAT 4; Tübingen: J.C.B. Mohr/ Paul Siebeck, 1966), 14-15; A. Cholewiński, *Heiligkeitgesetz und Deuteronomium* (AnBib 66; Rome, 1976), 138-140, 334-338; E. Otto, “Innerbiblische Exegese im Heiligkeitgesetz Leviticus 17-26,” in: H.J. Fabry and H.-W. Jüngling (Hrsg.), *Leviticus als Buch*, (BBB 119; Berlin, 1999), 126-196.

<sup>3</sup> See Lev 20:8; 21:15,23; 22:9,16,32.

<sup>4</sup> See Lev 11:44,45; 19:2; 20:7; 21:8.



take up the same themes. The purity requirements for the priests in Lev 21:1-15, for example, can be compared with the rules that require purity from the people who share in the priestly food (Lev 22:1-16). The consumption of this priestly food is already referred to in Lev 21:22. The list of disqualifying blemishes for priests (Lev 21:18-20), can be paralleled to the list of blemishes disqualifying sacrificial animals in Lev 22: 22-25.

Leviticus 21-22 provides regulations to ensure a proper functioning of the cult as a whole and the passage can be divided into two sections.<sup>5</sup> The first section consists of rules that apply to the priests themselves (Lev 21:1-24). The second section contains regulations for offerings (22:1-33). The closing formula “I am YHWH who sanctifies you (them)” (Lev 21:8, 15, 23; 22:9, 16, 32) divides the chapters into six sub-sections.<sup>6</sup> This formula and the use of vocabulary connected with holiness and purity (קדש, חלל, טמא and טהור) bind these sections together.<sup>7</sup>

The passage under consideration in this paragraph (Lev 21:16-24), takes an intermediate position. Lev 21:16-23 deals with priests who have a מום, “blemish,” which is part of a larger literary section containing rules for priests. Lev 21:16-23 is also connected with the section that follows, because its main concern is safeguarding the correct procedures around offerings. Leviticus 22 deals more specifically with the touchable items of the offerings. Lev 22:1-16 relates to the sacred food and Lev 22:17-25 contains rulings for sacrificial animals. Lev 21:16-23 addresses the actual performance of the sacrificial ritual. Therefore it differs from the scope of Leviticus 22, because it does not point at concrete items but towards abstract circumstances. Moreover, the phrase וידבר משה אל־אהרן ואל־בניו ואל־כל־בני ישראל, “And Moses spoke to Aaron and to his sons and to all the Israelites,” in Lev 21:24 functions as a closing formula. It is placed directly after the passage about the disqualification of blemished priests. This indicates that Lev 21:16-23, in its present context, does not belong to the following section.<sup>8</sup>

<sup>5</sup> The sacrificial term קרב is used in Lev 21: 6, 8, 17 (2x), 18, 21 (2x); 22: 3, 18 (3x), 20, 21, 22, 24, 25, 27

<sup>6</sup> This is a rare phrase that, apart from Leviticus 21-22, only appears in Lev 20:8.

<sup>7</sup> קדש is used in Lev 21: 6 (2x), 7, 8 (4x), 12 (2x), 15, 22 (3x), 23 (2x); 22: 2 (3x), 3 (2x), 4, 6, 7, 9, 10 (2x), 12, 14 (2x), 15, 16 (2x), 32 (3x); חלל in Lev 21: 6, 9, 12, 14, 15, 23; 22: 2, 9, 15, 32; טמא in Lev 21: 1, 3, 4, 11; 22: 3, 4, 5 (3x), 6, 8; טהור in Lev 22:4, 7.

<sup>8</sup> This can also be inferred from the introductory phrase לאמר יְהוָה אֱלֹהֵי מֹשֶׁה, “YHWH spoke to Moses, saying:,” in Leviticus 22:1.

The structure of Leviticus 21-22 can be outlined as follows:

Lev 21:1-24	Regulations for priests
21:1-9	<i>Rules for a proper lifestyle of priests</i>
1-6	Mourning regulations
7-9	Marital regulations
21:10-15	<i>Rules for a proper lifestyle of the high priest</i>
10-12	Mourning regulations
13-15	Marital regulations
21:16-24	<i>Disqualification of physically blemished priests</i>
Lev 22:1-22:33	Regulations for offerings
22:1-9	<i>Consumption of the priestly food</i>
22:10-16	<i>Taking part in the priestly food</i>
22:17-33	<i>Regulations concerning sacrificial animals</i>
17-25	Physical blemishes in sacrificial animals
26-33	Additional requirements

### 1.2.2 The Text of Leviticus 21:16-23<sup>9</sup>

As was already remarked on in the introduction to this chapter, attitudes towards disability reflected in Qumranic literature contain clear traces of biblical texts. Leviticus manuscripts were found in Qumran. However, the textual remains of Lev 21:16-23 (4QLev<sup>b</sup> f. 9i:1-3 and 4QLev<sup>c</sup> f.7:1-4) have been preserved in a very poor state. On the extant Leviticus manuscripts, only a few characters of Lev 21:16-23 survived.<sup>10</sup> For that reason, it is hard to determine how the text of Lev 21:16-23, that was used in Qumranic literature, looked like. This is why this study cannot use the Qumran Leviticus material and uses the *Masoretic Text* (MT). This study is aware of the fact that the MT stems from a much later age than the time in which the Qumran documents were copied. However, it is the most suitable Hebrew text available for the pericope under consideration. The textual notes below indicate variant readings of other textual witnesses, such as SamP and LXX.

<sup>9</sup> Because Lev 21:24 is a closing formula, the passage under consideration is referred to as Lev 21:16-23. In the table that contains the outline of the structure of Lev 21-22, the closing formula is connected to Lev 21:16-23, so that Lev 21:16-24 as a whole refer to the disqualification of blemished priests.

<sup>10</sup> For the text and photographs of these manuscripts see: Eugene Ulrich *et al.* (eds.), *Qumran Cave 4.VII. Genesis to Numbers* (DJD 12; Oxford: Clarendon Press, 1994), 181 and 200; Plates XXXII and XXXVII ; PAM 43.036 (42.741).

The implications of these variants for the interpretation of the text are discussed in paragraph 1.2.3 and 1.2.4.

וידבר יהוה אל־משה לאמר	16
דבר אל־אהרן לאמר	17a
איש מזרעך לדרתם אשר יהיה בו מום	17b
לא יקרב להקריב לחם אלהיו	17c
כי כל־איש אשר־בו מום לא יקרב	18a
איש עור או פסח או חרם או שרוע	18b
או איש אשר־יהיה בו שבר רגל או שבר יד	19
או־גבן או־דק או תבלל בעינו או גרב או ילפת או מרוח אשך	20
כל־איש אשר־בו מום מזרע אהרן הכהן לא יגש להקריב את־אשי יהוה	21a
מום בו את לחם אלהיו לא יגש להקריב	21b
לחם אלהיו מקדשי הקדשים ומן־הקדשים יאכל	22
אך אל־הפרכת לא יבא	23a
ואל־המזבח לא יגש	23b
כ־מום בו	23c
ולא יחלל את־מקדשי	23d
כי אני יהוה מקדשם	23e

### Textual Notes

V. 17a: In the previous line, LXX uses λέγων for לאמר. In this line, לאמר of MT is not attested in LXX.

V. 17b: לדרתם: SamP has לדרותם. LXX reads εἰς τὰς γενεὰς ὑμῶν, “in your generations” where MT has “in their generations.”

V. 17c: להקריב: Not attested in one Hebrew manuscript of the Cairo Geniza; Sam P has להגיש, “to approach” where MT reads, “to offer.”

V. 18a: כי: not attested in LXX and Vulgata. In MT כי in its initial position is an emphatic particle, restating the rule of Lev 21:17 and introducing the list of blemishes in what follows.<sup>11</sup> To stress the emphatic character of the particle, כי is translated as “behold.”

V. 18a: כל־איש אשר־בו מום: Sam P added יהיה and reads כל איש אשר יהיה בו מום.

<sup>11</sup> See John William Wevers, *LXX. Notes on the Greek Text of Leviticus* (SCS 44; Atlanta: Scholars Press, 1997), 341; J.E. Hartley, *Leviticus* (WBC 4; Dallas: Word Books, 1995), 344.

V. 18b: פסח או עור איש, “a man who is blind or lame”: LXX has an inverted order and reads ἄνθρωπος χωλὸς ἢ τυφλός, “a man who is lame or blind.”<sup>12</sup>

V. 18b: קרם, “disfigured”: SamP reads ערום, “naked.” LXX has κολοβόρριν, “split nose.”

V. 18b: שרוע, “deformed”: LXX reads ὠτότμητος, “slit ear.”

V. 19: שבר יד או שבר רגל, “a broken foot or a broken hand”: LXX has an inverted order: σύντριμμα χειρὸς ἢ σύντριμμα ποδός, “a broken hand or a broken foot.”

V. 20: דק, “thin”: LXX has ἔφηλος, “eye disease.”

V. 20: בעינו: SamP, Peshitta, Targum and Targum Pseudo-Jonathan have בעינו, “in his eyes.” For MT בעינו, “in his eye.” LXX has a plural in its rendering, πτίλος τοὺς ὀφθαλμούς, “an inflammation with respect to the eyes.”<sup>13</sup>

V. 20: גרב, “scar”: LXX has ψώρα ἀγρία, “a severe itch.”

V. 20: מרוח אשך, “crushed testicle”: LXX has μόνορχις, “a single testicle.”

V. 21a: יגש להקריב: SamP reads יגיש instead of יגש. This reading might be influenced its use of the verb in hif in v. 17c,<sup>14</sup> although SamP does not render the inf. constr. להקריב of MT here.

V. 21a: את־אשי יהוה: LXX has τὰς θυσίας τῷ θεῷ σου ὅτι, “the sacrifices for your God, because.”

V. 21b: את לחם אלהיו: SamP has transposed these words to the end.

V. 22: לחם אלהיו: Not attested in the SamP.

V. 23a: יבא: SamP reads יבוא.

V. 23d: מקדשי: LXX reads: τὸ ἅγιον τοῦ θεοῦ αὐτοῦ, “the sanctuary of his God.”

<sup>12</sup> The details of the readings in MT and other documents are discussed in detail in the next paragraph.

<sup>13</sup> Wevers, *LXX*, 342.

<sup>14</sup> See Hartley, *Leviticus*, 344.

*Translation*

- 16 YHWH spoke to Moses, saying:  
17a Speak to Aaron and say:  
17b A man of your offspring in any generation who has a blemish  
17c shall not approach to offer the food of his God.  
18a Behold, no one at all who has a blemish shall approach:  
18b a man who is blind, lame, disfigured, or deformed;  
19 a man who has a broken foot or broken hand  
20 or who is a hunchback, or thin, or has a discoloration of the eye, a  
scar, a lichen, or a crushed testicle.  
21a Every man among the offspring of Aaron the priest who has a  
blemish shall not approach to offer YHWH's gifts;  
21b having a blemish, he shall not approach to offer the food of his God.  
22 He may eat the food of his God, of the most holy and of the holy.  
23a But he shall not enter before the veil  
23b or draw near at the altar,  
23c for he has a blemish.  
23d And he may not desecrate my sancta.  
23e Because I am YHWH who sanctifies them

**1.2.3 Comments**

Lev 21:18b-20 mentions twelve physical blemishes that disqualify priests from officiating. Because many of the disabilities listed in this text only appear once in the Hebrew Bible, it is hard to define their exact meaning. This paragraph discusses the blemishes in detail and asks if there is a common denominator behind them or whether the blemishes are listed arbitrarily. It also investigates the implications for the interpretation of the passage with regard to the variant readings in LXX. Besides shedding light on the uncertainties regarding the list of blemishes, this paragraph also discusses other elements in the text that need explanation.

אִישׁ ... אֲשֶׁר יִהְיֶה בוֹ מוֹם 21:17

The category of priests excluded from officiating is generally defined as men “who have a מוֹם, blemish.” The importance of being without a blemish is stressed by the fact that the word מוֹם appears five times (Lev 21:17.18.21

[twice].<sup>23</sup>) in this section. The noun מום appears 21 times in the Hebrew Bible, of which ten are attested in the book of Leviticus. מום mostly refers to physical blemishes or defects in both humans and animals. In some cases the noun does not relate to a bodily defect. Milgrom states that in these latter cases מום is used to denote moral blemishes.<sup>15</sup> Yet, his interpretation is not commonly accepted. When the word מום refers to physical defects, it always occurs in combination with the preposition ב. Thus, the standard way to express that a person or animal has a physical deformity is מום ב (היה), “there is a blemish in.” References to מום as a moral blemish do not occur in combination with the preposition ב.<sup>16</sup> Lev 21:17 mentions the term מום without specifying whether the word should be understood in a moral or physical manner. Yet, it is clear that the ruling is unambiguously restricted to physical blemishes only. Firstly, because the expression מום ב is used, and secondly because the list of blemishes in Lev 21:18b-20 only contains bodily defects.

לא יקרב להקריב לחם אלהיו 21:17

In biblical literature the verb קרב appears very frequently. It is used 289 times in total, mostly in qal (94 times) and in hifil (177 times).<sup>17</sup> More than one third of the occurrences of the verb (102 times) are in the book of Leviticus, only in hifil (89 times) and qal (13 times). Used in qal, קרב with the preposition אל can be rendered as “to approach, to come forward, to draw near” within a variety of contexts. It may be regarded as a synonym of נגש אל, which is used in Lev 21:21.23. Some scholars assume that the verb קרב/נגש אל has a geographical entity as its object, and conclude that in the case of Leviticus 21 the ruling prohibits blemished priests from entering the

<sup>15</sup> מום is used in the sense of moral blemish e.g., in Deut 32:5; Prov 9:7; Job 11:15 and 31:7, and is a physical deformity in e.g. Lev 21:17.18.21.23; 22:20.21.25; 24:19.20; Num 19:2; Deut 15:21; 17:1; 2 Sam 14:25; Song 4:7 and Dan 1:4. The interpretation of מום as a moral blemish seems to be an extended meaning in the two occurrences in the Book of Proverbs and Job. See Jacob Milgrom, *Leviticus. A Book of Ritual and Ethics* (Continental Commentaries; Minneapolis: Fortress Press, 2004), 266.

<sup>16</sup> See Deut 32:5, שחת לו לא בניו מומם דור עקש ופתלתל, “They have acted corruptly against him. Their spot is not his children’s: they are a generation crooked and perverse”; Job 11:15, כי־אז תשא פניך ממום והיית מצק ולא תירא, “For then you shall lift up your face without spot; you shall be steadfast, and not fear”; 31:7c, ובכפי דבק מאום, “and if any spot has clung to my hands,” and Prov 9:7, יסר לץ לקח לו קלון ומוכיח לרשע מומו, “He who corrects a scorner gets shame to himself, and he who rebukes a wicked man becomes a blemish unto him.”

<sup>17</sup> The verb also appears in nifal (two times), piel (seven times), pael (five times), peal (one time), haph (three times).

sanctuary.<sup>18</sup> As is also shown below, this idea cannot be maintained. Milgrom suggests that the rendering of the verbs as “to approach” could also be interpreted in the sense of “to qualify,” but this suggestion is not very convincing.<sup>19</sup> Although it is true that someone may or may not be qualified to do something when he or she approaches or not, this does not imply that the verb itself can be interpreted as “to qualify.” Yet, Milgrom is right to deny the possibility that קרב must be linked to a place. In the case of Leviticus 21, the ruling לא יקרב להקריב לחם אלהיו makes perfect sense, when יקרב is not related to the sanctuary, but is understood more generally as referring to the act of offering. The result of the prohibition for a blemished priest to approach to offer the food of his God is that he is not *qualified* to perform the sacrificial ritual, but it does not say anything about entering the sanctuary.

The hifil of קרב frequently has a cultic connotation, meaning “to offer (a sacrifice)” but it can also have the more general meaning of “to bring (over/forward).” When used in a cultic context, קרב can refer to all sorts of offerings, such as שעיר, “male goat” (Lev 9:15; 16:9.20; Ezek 43:22), פר, “bull” (for example, in Lev 4:3.14; 16:11.16), דם, “blood” (for example, in Lev 1:5; 7:3; Ezek 44:5), or, as is the case in Lev 21:17, לחם אלהים, “food of God.”<sup>20</sup> The noun לחם usually means “bread,” but it can also have the more general meaning “food,” or “nourishment.”<sup>21</sup> The rendering “food” can be applied to food for people, animals, and the deity.<sup>22</sup> The noun occurs nine times in Leviticus 21-22 (21:6.8.17.21.22; 22:7.11.13.25), and according to Milgrom it is characteristic of H, because H does not avoid the use of anthropomorphisms.<sup>23</sup> The expression לחם אלהים

<sup>18</sup> See Walther Zimmerli, “‘Heiligkeit’ nach dem sogenannten Heiligkeitsetz,” VT 30.4 (1980), 504; Klawans, 1995, 292-293

<sup>19</sup> See Jacob Milgrom, *Leviticus 17-22. A New Translation With Commentary* (AB 3a; New York: Doubleday, 2000), 1824-1825. See also the translation of this verse by Baruch A. Levine, *The JPS Torah Commentary. Leviticus ויקרא* (Philadelphia/New York/Jerusalem: The Jewish Publication Society, 1989), 145.

<sup>20</sup> Also in Lev 21:6.8.21.22; 22:25; Num 28:2; Ezek 44:7.

<sup>21</sup> For renderings of לחם as “bread” see, e.g., Gen 14:18; 18:5; 21:14; 25:34; 27:7; 45:23; Exod 29:2.23; Lev 7:13; Num 21:5; Deut 10:18; Jos 9:5.12; Judg 7:13; 19:19; 1 Sam 17:17; 21:5.7; 1 Kings 18:4.13; 2 Kings 4:42; 6:22; Neh 5:15; Is 44:15; Ezek 4:17; 13:19.

<sup>22</sup> לחם is food for humans, e.g., in: Gen 3:19; 31:54; 37:25; 43:32; Exod 2:20; Num 14:9; 1 Sam 28:20.22; Prov 27:27; Dan 5:1. It is used for animals, e.g., in: Ps 147:9, and for the deity – the special expression לחם אלהים not taken into account – in: Lev 3:11.16; Num 28:24.

<sup>23</sup> Milgrom, *Leviticus* (2000), 1804.

includes various sacrifices offered by the priests, such as the חטאת, “sin-offering,” and the אשה, “offering made by fire.”<sup>24</sup>

כל־איש אשר־בו מום 21:18

The ruling that every man who has a blemish may not approach to offer the food of his God is explained more explicitly in Lev 21:18-19 by a list of twelve physical blemishes. Because this is the only list with physical blemishes known in biblical literature and most of the defects occur only in these two verses, it is hard to determine their exact meaning.

איש עור או פסח 21:18

The list is headed by blindness (עור) and lameness (פסח), which are characteristic physical blemishes that occur more frequently together in the Hebrew Bible. The combination of these two adjectives is used both for humans (2 Sam 5:6.8; Job 29:15; Jer 31:8) and animals (Deut 15:21 and Mal 1:8). It seems probable that these two blemishes are the main disqualifying deformities. The frequently attested juxtaposition of blind and lame persons in classical and biblical literature spontaneously came into being. It is not possible to detect the first literary work in which the two were combined. In a secondary stage, the connection of blindness and lameness became a literary motive. As Wolfgang Speyer puts it:

Wie das Leben in den antiken Mittelmeerkulturen sich insgesamt in der Öffentlichkeit abgespielt hat, so verbargen sich auch viele Kranke und Leidende nicht im Haus oder wie die Aussätzigen in Höhlen und Gräbern vor der Stadt, sondern sie waren auf den Plätzen und bei den Heiligtümern anzutreffen. Unter diesen Kranken und Leidenden fielen vor allem Blinde and Lahme auf. Ihr gewöhnliches Beieinander bezeugen antike, jüdische und christliche Texte. Aus dem Beieinander der Blinden und Lahmen konnte leicht ein Miteinander werden; denn der Gedanke: Was dem einen fehlt, besitzt der andere, liegt nahe.”<sup>25</sup>

<sup>24</sup> Milgrom, *Leviticus* (2000), 1804.

<sup>25</sup> Wolfgang Speyer, *Frühes Christentum im Antiken Strahlungsfeld* (WUNT 50; Tübingen: J.C.B. Mohr [Paul Siebeck], 1989), 264-268.



Together with the following ten blemishes, blindness and lameness are emblematic for every possible bodily defect.<sup>26</sup> Accordingly, the list implies that a priest who has whatever blemish, even blemishes that are not listed in these verses, may not perform the sacrificial ritual.

In his still unequalled work on medicine in biblical and Talmudic times, Julius Preuss wrote that the number of blind persons in the ancient Near East must have been considerable.<sup>27</sup> In the Hebrew bible, blindness also frequently appears. Losing one's ability to see was a situation almost every person of age would eventually have to face (Qoh 12:3). Deut 34:7 mentions the exception to this rule: "Moses was one hundred and twenty years old when he died; his eye was not dim, nor did his vital strength deteriorate." The common root to denote blindness is עור. This root occurs 31 times in the Hebrew bible and it is used both in a literal and in a figurative sense. עור can be applied to total blindness as well as to blindness in one eye.<sup>28</sup>

Apparently, blind persons were in a vulnerable and dependent position. Lev 19:14 and Deut 27:18 show that blind persons ran the risk of being led astray or hindered in any way, for these texts say respectively: "You shall not (...) put a stumbling block before the blind (...)" and "Cursed be he who makes the blind go out of the way." Blind persons were in need of a guide. This can be derived from Job 29:15, which says: "I was eyes to the blind." In some cases, blindness is equalled with confusion or spiritual insensitivity, especially in the book of Isaiah.<sup>29</sup> Blindness may be the consequence of divine punishment or wrath (Deut 28:29; Jes 59:10; Zeph 1:17; Lam 4:14) and it is YHWH who has the power to make anyone blind (Exod 4:11). On the other hand, YHWH also has the power to heal blindness (Ps 146:7c-8a). Lastly, as can be gathered from the present text, blindness disqualifies priests from officiating. In all instances in which the root עור is used, blindness or blind individuals are not portrayed in a positive way, because blindness is connected to being dependent, stumbling, stupid, moving in a wrong direction or being unqualified to perform an offering.

<sup>26</sup> Erhard S. Gerstenberger, *Das Dritte Buch Mose. Leviticus* (ATD 6; Göttingen: Vandenhoeck&Ruprecht, 1993), 290; Milgrom, *Leviticus* (2000), 1826.

<sup>27</sup> Julius Preuss, *Biblisch-talmudische Medizin. Beiträge zur Geschichte der Heilkunde und der Kultur überhaupt* (Berlin: Verlag von S. Karger, 1911), 313.

<sup>28</sup> Levine, *Leviticus* (1989), 145.

<sup>29</sup> See Isa 42:16.18-20; 43:8; 56:10; Qoh 14:14; Deut 28:28-29).

The Hebrew bible also contains examples, however, of blind persons who are not pictured in a negative way. Five biblical role models are known to have lost their sight. Four of them, Isaac, Jacob, Eli and Ahijah, became sightless due to their old age. The fifth famous blind biblical figure is Samson, who lost both his eyes after the Philistines took him captive.<sup>30</sup> Jer 31:8 says, that the blind and lame will be brought back to YHWH at the end of times.

The adjective פֶּסֶחַ is an intensive form *qittēl* of the verb פָּסַח, meaning, “to be (*qal*), become (*nif*) lame,” or “to limp” (*qal*).<sup>31</sup> It is used for lameness in both legs, or for lameness in one leg.<sup>32</sup> When used for lameness in one leg, it can be rendered as “limping.” When used for lameness in both legs, the interpretation “lame” is preferred. פֶּסֶחַ is mostly used for people. In three cases, however, the word is used for animals (Deut 15:21, Mal 1:8.13), stressing the importance of blemish-free sacrificial animals. Three persons carry the name פֶּסֶחַ (Ezra 2:49; Neh 3:6; 7:51). In Ezra 2:29 and Neh 7:51, the name appears in a genealogy list. From its context no conclusions can be drawn about whether these people were judged positively or negatively. From Neh 3:6 not much can be concluded either. The text states that the son of פֶּסֶחַ rebuilt the Old Gate of Jerusalem.

Overall, the role of lame persons is not depicted very positively throughout the Hebrew bible, in parallel to the position of blind persons. Job’s willingness to help (expressed in the above-mentioned Job 29:15) served not only the blind, but also the lame, for Job also claims that he “was feet to the lame.” The best-known lame literary figure in the Hebrew bible is Mephibosheth, the son of Jonathan.<sup>33</sup> Mephibosheth became lame at the age of five when his nurse accidentally threw him to the ground (2 Sam 4:4). Although David feels a deep hatred for blind and deaf persons (2 Sam 5:8), he returns to Mephibosheth all the land of Saul, and invites him to eat regularly at his table (2 Sam 9:10-13).

<sup>30</sup> Interestingly, the blindness of these persons is never described with the root עֹר. This leads to the suggestion that the root עֹר in the Hebrew bible is not used for blind persons who function as positive role models. The reason for the avoidance of עֹר in these cases is that the root עֹר may have negative connotations. Because it sometimes refers to persons who lack insight in making right decisions, it is cannot be used in relation to these righteous people. As a result, other vocabulary is used to show that these men were incapable of seeing.

<sup>31</sup> See TWAT VI, s.v. פָּסַח, 683 and HALOT II, s.v. פָּסַח, 948.

<sup>32</sup> Levine, *Leviticus* (1989), 145.

<sup>33</sup> See 2 Sam 4:4; 9:1-13; 19:24-30; 21:1-14. Mephibosheth is also called Merib-baal in 1 Chron 8:34; 9:40.

והרם או שרוע 21:18

The third blemish in the list is הרם, a passive participle qal of the root הרם, “to perforate, break through,” which is related to the Arabic *ḥarama*, “to split, pierce.” The blemish is attested only in this verse and could mean “disfigured in any way,” which is chosen here as the safest option.<sup>34</sup> The interpretation chosen by many scholars is a defect in the nose, probably a harelip.<sup>35</sup> The participle הרם is explained as “one whose nose is so flattened as to show its holes, flat-nosed.”<sup>36</sup> The reference to the nose may be inferred from the LXX, which reads κολοβόρρις. This word could have been composed of the adjective κολοβός, “disfigured,” and ρίς, “nose.” If the text does indeed refer to harelip, the defect also affects the ability to speak because it gives the voice a nasal sound. The term κολοβόρρις from the LXX, could, however, also be composed of the adjective κολοβός and the noun ῥινός, “skin.” Accordingly, the adjective הרם could also be linked to the Akkadian verb *arāmu*, “to cover, stretch over.”<sup>37</sup> Thus, instead of being a reference to harelip, the term הרם could designate “one whose skin was stretched over an unnaturally short limb.”<sup>38</sup>

Although the latter explanation of הרם is less convincing than the first, it could constitute an oppositional word pair with the next defect in the list, שרוע. This passive participle from the root שרע is used as an adjective and has also been interpreted in various ways, because Lev 21:18 is the only attestation of the word in biblical writings. Firstly, it is interpreted as “abnormally long” or “one that has one hip longer than the other.”<sup>39</sup> Understood in this way, the phrase הרם או שרוע would refer to a person who

<sup>34</sup> See also Hartley, *Leviticus*, 342; Milgrom, *Leviticus* (2000), 1792.1827.

<sup>35</sup> See, a.o., Martin Noth, *Das dritte Buch Mose. Leviticus* (ATD 6; Göttingen: Vandenhoeck&Ruprecht, 1962), 132; Gordon J. Wenham, *The Book of Leviticus* (NICOT 3; Grand Rapids: William B. Eerdmans Publishing Co., 1979), 289; Gerstenberger, *Das Dritte Buch Mose* (1993), 279 Cf. Alfred Bertholet, *Leviticus*, (KHCAT 3; Tübingen/Leipzig: J.C.B. Mohr [Paul Siebeck], 1901), 75.

<sup>36</sup> Marcus Jastrow (ed.), s.v. “הָרָם” , in: *A Dictionary of the Targumim, the Talmud Babli and Yerushalmi, and the Midrashic Literature. Volume I* (New York: The Judaica Press, 1996), 503; Ludwig Koehler and Walter Baumgartner (eds.), s.v. “הָרָם,” in: *The Hebrew and Aramaic Lexicon of the Old Testament. Study Edition. Volume I* (Leiden/Boston/Köln: Brill: 2001), 354.

<sup>37</sup> See CAD, s.v. *arāmu*

<sup>38</sup> Levine, *Leviticus* (1989), 146.

<sup>39</sup> See Jastrow, s.v. שָׂרֵעַ, 1632; *Sifra* Emor 3:9; *b. Bekh.*, 45a.

has a limb too short or too long.<sup>40</sup> A second possibility is to regard שרוע as another facial deformity parallel to the interpretation of the preceding חרם as a disfigured nose. The disfigurement could also be one of the nose, since the Arabic *šara'a* and *'ašra'* mean “long-nosed.” The LXX interprets it as a blemish of the ears. It renders שרוע as ὠτότμητος, which is a combination of ὠτίον, “ear,” and τμητός, an adjective from the verb τέμνω, meaning “cut, shaped by cutting.”

The interpretations attested in the LXX indicate that the LXX translators also had difficulties interpreting the terms חרם and שרוע. It added in its translation the body parts “nose/skin” and “ear,” to which the deformity would relate. These body parts are not mentioned in the Hebrew text, which makes it likely that the LXX rendering is secondary. This study agrees with the interpretations of Hartley and Milgrom, who render the terms חרם and שרוע as “disfigured,” and “deformed.” The author of Leviticus may have chosen these two general terms to stress the idea that *every kind* of deformity would exclude a priest from officiating. This implies that the deformities mentioned in the list are only a few examples of all imaginable deformities that will lead to disqualification.

21:19 שבר רגל או שבר יד

In the next pair of blemishes in Lev 21:19, שבר רגל and שבר יד, it is more obvious which body parts are meant. The adjective שבר means “broken” and the nouns יד and רגל denote “hand/arm” and “foot/leg” respectively.<sup>41</sup> Injuries like these were normally permanent in ancient times, because they were not properly set. Fractures that did not heal properly left a visible disfigurement or function limitation of the arm or leg concerned.

21:20 אִי־גִבֵּן או־דֶּק או־תִּבְלַל בְּעֵינָיו

Lev 21:20 begins with the extremely rare adjective גִּבֵּן, which is mostly translated in English as “hunchback(ed).”<sup>42</sup> This rendering corresponds to

<sup>40</sup> This is the interpretation preferred by Elliger, *Leviticus*; J. R. Porter, *Leviticus* [CBC; Cambridge [etc.]: Cambridge University Press, 1976), 170; Levine, *Leviticus* (1989), 145-146.

<sup>41</sup> Noth, *Das dritte Buch Mose* (1962), 291, explains that: “der Bruch von רגל und יד nicht nur Fuß und Hand im engeren Sinne betrifft.” See also Koehler-Baumgartner, s.v. רָגַל, 1184-1186; *Idem*, s.v. יָד, 386-388.

<sup>42</sup> See a.o. Bertholet, *Leviticus* (1901), 75; Noth, *Das dritte Buch Mose* (1962), 132; Elliger, *Leviticus* (1966), 278; N.H. Snaith (ed.), *Leviticus and Numbers* (CB; London/Edinburgh: Nelson, 1967), 145; Wenham, *Leviticus* (1979), 289; Levine, *Leviticus* (1989), 146; Hartley,

the Greek κυρτός used in the LXX, which relates to the verb κυρτόω, “to bow, bend.” Rabbinic tradition offers two possible explanations in *m. Bekh.* 7:2; *Sifra* Emor 3:12 and *b. Bekh.* 43b. The first explanation corresponds to the one described above and is favoured by R. Ḥanina b. Antigonus. He explains גבן as a person “who has a double back or a double spine.” R. Dosa on the other hand favours the second explanation and interprets גבן as a person who has defective eyebrows.<sup>43</sup> The Cambridge Bible Commentary and the NEB have adopted this rendering.<sup>44</sup> Understood in this way, the adjective גבן is related to the verb גבב, which means “to arch, cave, curve” and the Arabic *jabīn*, “forehead.”<sup>45</sup> Harrison notes: “If ‘hunchback’ is a correct translation, it would describe a person suffering from spinal tuberculosis (Pott’s disease), marked among other things by spondylitis and curvature of the vertebrae.”<sup>46</sup>

The adjective קט occurs 15 times in the Hebrew Bible, usually meaning “thin.”<sup>47</sup> Because of the attestations of the adjective קט in biblical literature, there is no need to interpret the word differently here.<sup>48</sup> Some scholars, however, interpret קט as “dwarf.” The meaning “dwarf” also corresponds to the Akkadian *daqqu*, “small” and the Ge’ez *daqqa* “to be small, thin, a child.”<sup>49</sup> Yet, the latter language also favours the interpretation “thin,” which is also supported in this study. In Rabbinic literature, קט is taken to refer to an eye ailment, a cataract or a veiled or withered spot in the eye.<sup>50</sup> This rendering also fits well with the previous possible interpretation of גבן as referring to the eyes, and the next deformity תבלל בעינו. These

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*Leviticus* (1992), 342.344.350; Gerstenberger, *Das dritte Buch Mose* (1993), 280; Milgrom, *Leviticus* (2000), 1792.1827.

<sup>43</sup> See also Milgrom, *Leviticus* (2000), 1827.

<sup>44</sup> See C.H. Dodd (ed.), *The New English Bible with Apocrypha* (Oxford: Oxford University Press/ Cambridge: Cambridge University Press, 1970); Porter, *Leviticus and Numbers* (1976), 170.

<sup>45</sup> Note that the expression עינים, “eyebrows,” in Lev 14:9 is also derived from the root גבב. See Jastrow, s.v. גב and גבב, 203; Milgrom, *Leviticus* (2000), 1827; Koehler-Baumgartner, s.v. גבן, 174.

<sup>46</sup> R.K. Harrison, *Leviticus. An Introduction and Commentary* (Leicester: Inter-Varsity Press, 1980), 211.

<sup>47</sup> See Koehler-Baumgartner, s.v. קט, 229.

<sup>48</sup> See also Hartley, *Leviticus* (1992), 344.

<sup>49</sup> See for the Akkadian *daqqu* CAD 3.107 and for the Ge’ez *daqqa* Wolf Leslau (ed.), *Concise Dictionary of Ge’ez (Classical Ethiopic)* (Wiesbaden: Otto Harrassowitz, 1989), 194.

<sup>50</sup> *Sifra* Emor 2:3; *b. Bekh* 38b; *b. Gitt* 56a; *Ab. Zar.* 51a. Jastrow, s.v. קט, 318.

renderings must be secondary, since it is obvious that they try to explain the difficult *hapaxes*.

As stated in the previous discussion of דק, the blemish תבלל בעינו is located in the eyes. The term תבלל can be taken either as a noun or an adjective from the root בלל, “to mix,” which induces the translation “discoloration of the eye.”<sup>51</sup> The discoloration may be the result of the white of the eye invading the black, or the reverse.<sup>52</sup>

21:21 או גרב או ילפת או מרוח אשך

The term גרב occurs six times in the Hebrew Bible, twice as a personal name (2 Sam 23:38; 1 Chron 11:40), once as a geographical designation (Jer 31:19), and three times as a reference to a physical blemish (Lev 21:10; 22:22; Deut 28:27). It is related to Syriac *g<sup>e</sup>rab* and Arabic *jariba*, which mean “to be scabby, mangy,” and the Akkadian *garābu* “scab, scale-disease.”<sup>53</sup> Because the rare attestation of the word, it is unclear what the exact character of the ailment is. Milgrom says that it is most likely a general term for skin disease and not a specific kind of skin disease. The reason to regard גרב as a general term is based upon two observations. Firstly, the Akkadian parallel also denotes a general category. Secondly, גרב is not mentioned in Leviticus 13 as one of the types of צרעת.

The general character of גרב as denoting all kinds of skin disease is not very convincing. Milgrom does not explain the opposite possibility of גרב referring to a specific kind of skin disease. This skin disease can very well be a different kind of skin ailment than the one stipulated as צרעת. It is important not to treat גרב and צרעת as synonyms, because otherwise Leviticus 21, which is also a priestly text, would not have chosen the first term. The LXX translates גרב as ψώρα ἀγρία, “a wild/severe itch,” which is also more likely a specific ailment than a general term for skin disease. In summation, the difference between the terms צרעת and גרב is that the latter is a different type of skin disease than the first and does not render a person impure.<sup>54</sup>

Accordingly, the following ילפת must also be understood as a specific type of ailment of the skin. The noun is attested only in this verse and in Lev 22:22, both times in combination with the preceding גרב. The

<sup>51</sup> See Koehler-Baumgartner, s.v. תבלל, 1684-1685; s.v. בלל, 134.

<sup>52</sup> See *Sifra* Emor 3:13; *b. Bekh.* 38a,b.

<sup>53</sup> See Koehler-Baumgartner, s.v. גרב, 201; *CAD* 5.46.

<sup>54</sup> Cf. Milgrom, *Leviticus* (2000), 1828.

LXX renders ילפת as λιχήν, “lichen.” This interpretation is also chosen in this study.<sup>55</sup>

The last blemish in the list relates to a priest’s genitals: מרוח אשך literally means, “one whose testicles are rubbed, crushed.”<sup>56</sup> Although אשך is a *hapax*, its meaning can be inferred from the Akkadian *išku* and the Ugaritic *ušk*, meaning, “testicle.”<sup>57</sup> It is interesting why Leviticus chose the term מרוח אשך, and not, for example, פצוע־דכה, “bruised and crushed (testicles)” (Deut 23:2). The LXX translates מרוח אשך as μόνοςχις, “having a single testicle,” while it renders פצוע־דכה in Deut 23:2 as θλαδίς, “eunuch.” The interpretation by the LXX indicates, that it is very likely that there was an important difference between these two forms of damaged testicles. However, it is hard to determine the exact condition of testicles that are “crushed.” One could also ask, whether מרוח אשך must be understood as a visible deformity or not.<sup>58</sup>

An explanation of a bodily deformity that can be interpreted as crushed testicles is an ailment called *testicular torsion*.<sup>59</sup> This is a very painful affliction occurring mostly in males younger than 30 years old. In testicular torsion the spermatic cord is twisted, obstructing the blood supply to the testicle. Besides intense pain, it causes an enlargement of the testicle and causes the scrotum to swell. If not cured within six to eight hours (which was not yet possible in biblical times) the testicular torsion could lead to loss of the affected testicle. In adolescent males, testicular torsion is the most frequent cause of testicle loss.

The visibility of the loss of one testicle is not as obvious as the other deformities listed here. Unless the priest who suffered from this deformity was naked, the lack of one testicle would not be evident. Apparently, the power of procreation was very important for Leviticus and men who did not

<sup>55</sup> See Hartley, *Leviticus* (1992), 342.350; Milgrom, *Leviticus* (2000), 1792.1828. Noth (*Das dritte Buch Mose* [1962], 132), Elliger (*Leviticus* [1966], 278), and Gerstenberger (*Das dritte Buch Mose* [1993], 280) interpret ילפת as “(Haut)[f]lechte”; Porter (*Leviticus* [1976], 170) translates “eruption”; Wenham (*Leviticus* [1979], 289) renders “scabs,” and Levine (*Leviticus* [1989], 146) “scurvy.”

<sup>56</sup> Levine, *Leviticus* (1989), 146.

<sup>57</sup> See CAD, s.v. *išku*, 7.250; UT s.v. *ušk*, 132.1.2.

<sup>58</sup> Milgrom (*Leviticus*, 1828) believes that this deformity does not match a visual criterion.

<sup>59</sup> See, e.g., P. Günther and J.-P. Schenk, “Hodentorsion: Diagnose, Differenzialdiagnose und Therapie im Kindesalter,” *Der Radiologe* 46.7 (2006), 590-595; J. Sun *et al.*, “Long-Term Influence of Prepubertal Testicular Torsion on Spermatogenesis,” *Urologia internationalis* 77.3 (2006), 275-278.

have unblemished sexual organs, were not considered holy enough to bring offerings.

לא יגש להקריב את־אשי יהוה - את לחם אלהיו לא יגש להקריב 21:21

The ruling in Lev 21:17 that a blemished priest may not approach to perform the sacrificial ritual is repeated in this verse, although the wording slightly differs. Lev 21:21 twice uses a form of the verb נגש instead of קרב, which was used in verse 17. As already explained in the above, these two verbs can be regarded as synonyms. Verse 21 contains two objects for להקריב. The first are אשי יהוה, “YHWH’s gifts,” and the second is the לחם אלהיו, which was also the object of להקריב in Lev 21:17. The two clauses are not identical, because the latter explains the former. The term אשה means “gift” and its meaning is clarified by the second phrase that begins with את לחם אלהיו, “the food of his God.” The words לחם אלהים also have a broader meaning than אשי יהוה, because, as has already been mentioned above, the first includes various sacrifices, such as the חטאת, “sin-offering,” which does not belong to the אשי יהוה.<sup>60</sup>

לחם אלהיו מקדשי הקדשי ומן־הקדשים יאכל 21:22

Although priests with blemishes are excluded from officiating, the special provision in Lev 21:22 prescribes that they may partake in the division of the priestly emoluments. This verse is very important for a correct understanding of the social position of disabled priests. Sharing in the holy food implies that disabled priests were not regarded as unclean, because it could only be consumed in a state of ritual purity. Because of its importance, the ruling is discussed in more detail in the next paragraph.

ולא יחלל את־מקדשי 21:23

Whereas the preceding phrase is essential for the construction of the social position of blemished priests within the priesthood, the present verse is important because it contains a rationale for the exclusion. The context does not provide a direct clue as to what is exactly meant by מקדשי. The LXX reads τὸ ἅγιον τοῦ θεοῦ αὐτοῦ, “the sanctuary of his God,” which in Hebrew probably would be rendered as מקדש אלהיו. The wording of Lev 21:23 could then refer to the plural “sanctuaries.” It is, however, unlikely, that the text would refer to more than one temple, since the centralization of the cult was

<sup>60</sup> See also Milgrom, *Leviticus* (2000), 1829.



already established in the time of the Holiness School (H). A second possibility is that the term is a spatial designation, such as is also the case in, for example, Lev 12:4; 16:33; 20:3; 21:12; 26:2; Num 19:20. In these verses מקדש can be rendered as “sacred precincts.” A third, and most preferable explanation, is suggested by Jacob Milgrom.<sup>61</sup> In his interpretation, מקדש are the “sanctums,” holy items of the temple, possibly the veil and altar. Below is shown, that the threat to desecrate the sanctums is limited to specific occasions only.

#### 1.2.4 Is There a Common Denominator?

Now that the possible interpretation of every blemish has been discussed, it can be asked whether there is a common denominator between all of the blemishes. Some of the blemishes, such as blindness and lameness, clearly cause practical difficulties. It is understandable that priests who suffered from these defects could not properly perform the sacrificial ritual and this may have been the reason for their exclusion. Another possible denominator between the listed blemishes could be the fact that most of them were visible.<sup>62</sup> Perhaps, then, the motivation to exclude physically blemished priests was based on aesthetic motivations: the priest’s physical appearance had to be flawless. Although this seems a reasonable explanation, the last blemish in the list does not match the criterion. A missing testicle cannot be diagnosed just by looking at a person, especially when this person is clothed. It may be that this last blemish can be regarded as the exception to the rule.

Milgrom offers an alternative interpretation.<sup>63</sup> According to him, this last defect in the list proves that the blemishes enumerated in Lev 21:18-20 were not listed arbitrarily and that there was no aesthetic or visual criterion behind them. He argues that the list with blemishes that exclude priests from officiating was consciously constructed to match the list with blemishes (also twelve) in Leviticus 22:21-25. This list applies to the blemishes of animals that render them unfit to be sacrificed. Although this seems an interesting explanation, some comments must be made. Admittedly, it is

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<sup>61</sup> Milgrom, *Leviticus* (2000), 1832.

<sup>62</sup> Admittedly, it is hard to observe every kind of fracture in arms or legs without an X-ray photograph. Yet, as was discussed above, it is likely that the terms שבר יד או שבר רגל refer to broken limbs that did not heal properly.

<sup>63</sup> Milgrom, *Leviticus* (2000), 1828.

striking that Lev 22:21-25 also contains a list that contains grounds for exclusion. The text and translation are as follows:<sup>64</sup>

- 21 ואיש כי־יקריב זבח־שלמים ליהוה לפלא־נדר או לנדבה בבקר או בצאן  
תמים יהיה לרצון כל־מום לא יהיה־בו  
22 עורת או שבור או־חרוץ או־יבלת או גרב או ילפת לא־תקריבו אלה ליהוה  
ואשה לא־תתנו תתנו מהם על־המזבח ליהוה  
23 ושור ושה שרוע וקלוט נדבה תעשה אתו ולנדר לא ירצה  
24 ומעוך וכתות ונתוק וכרות לא תקריבו ליהוה ובארצכם לא תעשו  
25 ומיד בן־נכר לא תקריבו את־לחם אלהיכם מכל־אלה  
כי משחתם בהם מום בם לא ירצו לכם

“(21) And when anyone offers a sacrifice of peace offerings to YHWH to fulfill a vow or as a freewill offering from the herd or from the flock, to be accepted it must be perfect; there shall be no blemish in it. (22) Animals blind or disabled or mutilated or having a discharge or an itch or scabs you shall not offer to YHWH or give them to YHWH as a food offering on the altar. (23) You may present a bull or a lamb that has a part too long or too short for a freewill offering, but for a vow offering it cannot be accepted. (24) Any animal that has its testicles bruised or crushed or torn or cut you shall not offer to YHWH; you shall not do it within your land, (25) neither shall you offer as the bread of your God any such animals gotten from a foreigner. Since there is a blemish in them, because of their mutilation, they will not be accepted for you.”

Milgrom has two arguments for the idea that the list in Leviticus 21 was composed to match the one in Leviticus 22.<sup>65</sup> The first point he makes, is that the list with blemishes in Lev 21:16-23 is restricted to physical blemishes only and does not hint at any moral qualities a person should have to be qualified to function as a priest. Milgrom reasons that moral standards do not apply to animals and this would cause the absence of moral defects in the list directed at priests. Although Milgrom is right in his observation that the list in Leviticus 21 does not discuss moral blemishes, he seems to overlook the fact that the preceding pericope (Lev 21:1-15) deals with

<sup>64</sup> The translation is taken from the *English Standard Version* (2001). The rendering “the LORD” for the tetragrammaton is replaced by “YHWH.”

<sup>65</sup> See for a detailed comment on the two lists Milgrom, *Leviticus* (2000), 1836-1840 and 1875-1882.

priestly behavioral issues, as will be discussed in more detail below. Because the topic of proper priestly behavior had already been dealt with, there was no reason to include moral blemishes in the list with defects.

Milgrom's second point is based on the observation that obvious physical defects such as deafness and muteness are omitted in the text. Their absence might again be explained by arguing that appearance is the standard for the defects, but the mentioning of the crushed testicle, in his opinion, proves that this explanation is unlikely. The reference to defective genitals in Lev 21:21 would parallel Lev 22:24. The latter text contains no less than four different forms of possible genital defects. According to Milgrom, the standard behind the list with blemishes for animals is physical appearance. The list for sacrificial animals is original and the list for priests was made at a later stage to match the list of Leviticus 22, which would explain the arbitrariness of the blemishes enumerated.

Although there are similarities between the two lists that cannot be denied, a closer examination of the twelve blemishes in both lists, however, reveals one weak point in Milgrom's analysis. The two lists differ remarkably, and it seems unlikely that the list in Lev 21:18-21 was composed to match the list of Lev 22:22-25. This is illustrated in the following chart:

<i>Blemishes in Priests (Lev 21:18-21)</i>		<i>Blemishes in Animals (Lev 22:22-25)</i>	
1	עור : "blind"	1	עורת : "blind"
2	פסח : "lame"	2	שבור : "disabled"
3	חרום : "disfigured"	3	חרוץ : "mutilated"
4	שרוע : "deformed"	4	יבלת : "discharge"
5	שבר רגל : "broken leg"	5	גרב : "scar"
6	שבר יד : "broken arm"	6	ילפת : "lichen"
7	גבן : "hunchback"	7	שרוע : "deformed"
8	דק : "thin"	8	קלוט : "stunted"
9	תבלל בעינו : "discoloration of the eye"	9	מעוך : "bruised"
10	גרב : "scar"	10	כתות : "crushed"
11	ילפת : "lichen"	11	נתוק : "torn"
12	מרוח אשך : "crushed testicle"	12	כרות : "cut"

It appears that four of the twelve blemishes in Lev 22:22-25, עור, גרב, ילפת, and שרוע, are found in both lists, although it may be possible to parallel the terms חרוץ and חרום. The מרוח אשך, “crushed testicle,” is paralleled by the five terms for genital defects, קלוט, מעוך, כתות, נתוק, and כרות. From this it can be concluded that in Leviticus 22 the emphasis is on genital defects, whereas in Leviticus 21 the reference to the crushed genital is just one of the disqualifying deformities. Moreover, as can be deduced from the chart, there seems no parallel order in which the separate blemishes are enumerated. This weakens the evidence for Milgrom’s hypothesis that the list in Leviticus 21 is based on the list in Leviticus 22. In order to sustain his view one would need to find more parallels in vocabulary and in the enumeration of the separate blemishes.

Taking the above-discussed arguments into consideration, the most important denominator is physical appearance. Yet, other considerations, such as practical concerns and the wholeness of sexual organs, played a role too. Therefore, the common denominator is that which the text itself defines as the idea that the defects all constitute a מום.<sup>66</sup> The blemishes are more or less listed arbitrarily and they all place somebody lower in hierarchy than his peer who has no blemishes.

### 1.3 Social Implications for Blemished Priests in Lev 21: 16-23

The preceding paragraph clarified difficulties within the pericope concerning the exclusion of blemished priests. More important, however, is the analysis of the implications blemishes had on the social participation of priests within the priestly class. This paragraph will explore some aspects of their social participation. This is achieved firstly by comparing the pericope under consideration to the preceding section in Lev 21:1-15. Multiple angles are taken to clarify some of the key elements within H. Secondly, internal evidence of Lev 21:16-23 is used to establish a view on social participation.

<sup>66</sup> See also Elliger, *Leviticus* (1966), 291. The motivation is stressed five times in the pericope. Lev 21:17 states: מום יהיה בו מום; Lev 21:18: איש מזרעך לדרתם אשר יהיה בו מום; Lev 21:21: מום; and Lev 21:22: מום. Lev 21:16 states: מום יהיה בו מום; Lev 21:17: מום יהיה בו מום; Lev 21:18: איש מזרעך לדרתם אשר יהיה בו מום; Lev 21:21: מום; and Lev 21:22: מום.

### 1.3.1 Two Oppositional Word Pairs: Holy-Profane, Clean-Unclean

As can already be deduced from its name, the root קדש, “holy” plays an essential role in the writings of the *Holiness School*. The functioning of the term cannot be fully understood without an exploration of the three other important terms that relate to holiness, namely, חלל, “profane,” טהור, “clean,” and טמא, “unclean.” In the Priestly writings these terms were important. Leviticus 10:10 states that it was the task of priests להבדיל בין הקדש ובין החלל וּבֵין הַטְהוֹר וּבֵין הַטָּמֵא, “to distinguish between the holy and the profane and between the unclean and the clean.” Although the terms appear in the writings belonging to the Priestly school, they play an even greater role in H. The two oppositional word pairs seem to have much in common, but they cannot be treated as synonymous nor are they interchangeable. Moreover, a being or object is not classified as being in a state of either impurity or profaneness, or holiness or purity, but instead everything is classified with one term belonging to the one word pair and one term belonging to the other. In this way, four combinations of states are possible. Someone or something is either profane and pure, or profane and impure, or holy and pure, or holy and impure.

The neutral state for someone or something is profane and pure. To attain a state of holiness or impurity, additional acts or circumstances are needed. Impurity means absence of purity and disqualifies someone or something from participation in the cult. Impurities can be categorized into two different groups: ritual and moral impurities.<sup>67</sup> Ritual impurities are a common event and part of everyday life. It can happen to anyone and in various circumstances, such as sexuality, death, sickness and the cult. Because ritual impurities are so frequent, they are not regarded as a sin. Moral impurities, on the other hand, are caused by sinful deeds that are controllable and not necessary, such as murder or idolatry. In the case of deliberate sinful acts, the pollution has a more dangerous impact. Impurity can be lifted by means of various purification rites that can vary in length and complexity. Each kind of impurity requires its own way of purification.

Everything that is not directly connected with the cult is called חלל, “profane.” Its opposite is קדש, “holy,” which denotes everything that is

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<sup>67</sup> The difference in ritual impurity and moral impurity could also be defined as forbidden and tolerated impurities.

dedicated or belonging to God. The term can refer to people, animals, objects, places and times. Something or someone is inherently holy or becomes holy through ritual acts. The adjective holy can refer, for example, to God's name, to priests, to objects in the temple, or to the temple itself. Holiness is closely tied to the temple cult and not so much to daily life.

### 1.3.2 Rationale for the Exclusion of Physically Blemished Priests

It is sometimes argued that the disqualification of physically blemished priests in Leviticus 21:16-23 is the logical consequence of their being "unwhole." Since Mary Douglas' *Purity and Danger* scholars tend to connect wholeness with holiness,<sup>68</sup> it is reasoned that everything that cannot be categorized as "whole" is not holy, or even "unclean." The preceding paragraph, however, showed that holiness and purity cannot automatically be equalled, nor that they are synonymous. Indeed, Leviticus 21 is a very good example of showing the differences in the exact implications of being in a state of purity, impurity, holiness or profaneness. Lev 21:1-15 demonstrates that the purity legislation for priests is stricter than that for the people of Israel and that violating the purity rules had serious consequences. Lev 21:16-23 does not continue the purity discussion but shows that violating the holiness rules is equally dangerous. In this way, the two sections can be read together, not because they are both interested in the ritual purity of the priests, but because they both express the concern about maintaining the holiness.

#### 1.3.2.1 Regulations for a Proper Priestly Life Style (Lev 21:1-15)

The regulations in Leviticus 21:1-15 describe how priests must behave to be allowed in the temple and to perform their priestly duties. The pericope contains information on prohibited priestly behavior with regard to funeral rites and marital affairs. The transgressions of these regulations are explicitly linked to impurity and profanation:<sup>69</sup>

"(1) And YHWH said to Moses: Speak to the priests, the sons of Aaron, and say to them: No one shall make himself unclean for the dead among his people, (2)

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<sup>68</sup> Which in most instances is a reasonable thing to do.

<sup>69</sup> The translation is taken from the *English Standard Version* (2001). The rendering "the LORD" for the tetragrammaton is replaced by "YHWH."

except for his closest relatives, his mother, his father, his son, his daughter, his brother, (3) or his virgin sister (who is near to him because she has had no husband; for her he may make himself unclean). (4) He shall not make himself unclean as a husband among his people and so profane himself. (5) They shall not make bald patches on their heads, nor shave off the edges of their beards, nor make any cuts on their body. (6) They shall be holy to their God and not profane the name of their God. For they offer YHWH's food offerings, the bread of their God; therefore they shall be holy. (7) They shall not marry a prostitute or a woman who has been defiled, neither shall they marry a woman divorced from her husband, for the priest is holy to his God. (8) You shall sanctify him, for he offers the bread of your God. He shall be holy to you, for I, YHWH, who sanctify you, am holy. (9) And the daughter of any priest, if she profanes herself by whoring, profanes her father; she shall be burned with fire. (10) The priest who is chief among his brothers, on whose head the anointing oil is poured and who has been consecrated to wear the garments, shall not let the hair of his head hang loose nor tear his clothes. (11) He shall not go in to any dead bodies nor make himself unclean, even for his father or for his mother. He shall not go out of the sanctuary, lest he profane the sanctuary of his God, for the consecration of the anointing oil of his God is on him: I am YHWH. (13) And he shall take a wife in her virginity. (14) A widow, or a divorced woman, or a woman who has been defiled, or a prostitute, these he shall not marry. But he shall take as his wife a virgin of his own people, (15) that he may not profane his offspring among his people, for I am YHWH who sanctifies him."

Lev 21:1-9 applies to general priests and Lev 21:10-15 addresses only the high priest. Verses 1-6 inform general priests on how they must behave in case a person has passed away. They may not defile themselves for a corpse, except if this corpse is a close relative. Priests may not shave their heads, trim their beards, nor make cuts in their flesh. Whereas Lev 21:5 contains a common rule to avoid dead bodies because of their polluting character, Lev 21:6 may be a polemic against the cult of the dead.<sup>70</sup> The three activities

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<sup>70</sup> Undoubtedly, much can be said about the regulations concerning the cult of the dead. Unfortunately, the scope of this study does not allow for this topic to be extended any further. See for remarks: Milgrom, *Leviticus* (2000), 1796-1804, 1840-1841; Brian B. Schmidt, *Israel's Beneficent Dead: Ancestor Cult and Necromancy in Ancient Israelite Religion and Tradition* (FAT 11; Tübingen: Mohr, 1994); Gerstenberger, 1993, 282-286; Hartley, 1992, 347-348; Levine, *Leviticus* (1989), 141-145; Noth, 1962, 134-135. For remarks on marital regulations see: Milgrom, *Leviticus* (2000), 1804-1811; Gerstenberger, 1993, 286-288; Hartley, 1992, 348-349; Levine, *Leviticus* (1989), 141-145; B. Lorenz, "Bemerkungen zum

mentioned are not emotional displays of grief, but they are all deliberately carried out and performed carefully. As such, they could have been avoided. With respect to potential wedding partners the priests had to face several restrictions. Because priests are said to be holy to their God, they cannot marry any woman they like, for the condition of a woman may desecrate the priest. From Lev 21:10-15 it can be drawn that the funeral and marital regulations were even stricter for the high priest.

As stated above, the protection of a priest's holiness by proper behavior in general is the major concern in this section. The text frequently stresses that a priest may not defile himself (טמא) because he is holy (קדש) to his God and because he shall offer (קרב) the food of YHWH.<sup>71</sup> His special status necessitated that a priest lead a distinguished life. If a priest did not live up to the expected prescriptions he became unclean and profaned the name of his God. Because the high priest was consecrated with anointing oil (vv. 10, 12) and was consecrated to wear the garments (v. 10) even stricter rules applied to him. This distinct behavior separates the high priest from regular priests and marks his special status within the priestly class.

The behavioral rules in Lev 21:1-15 are the basic requirements for a qualified, pure and holy priesthood. Proper priestly behavior is the starting point for all cultic activity, including offering. The central idea in Lev 21:1-15 is maintaining holiness by avoiding polluting and desecrating actions. That is why the terms טמא and חלל appear so frequently in this pericope.

Two things are important in this pericope. Firstly, that the requirements for priests relating to marriage and mourning are stricter than for the people of Israel; the rules for the high priests are even stricter. These stricter rules are needed because of the holiness of priests. It is not appropriate for priests not to respect these mourning and marriage rules. Secondly, it is important to note that only deliberate transgressions are mentioned, although at first sight it seems as if the text speaks of "normal" ritual impurity. However, these seemingly normal ritual impurities could have been avoided and therefore they can no longer be regarded as being only *ritual* impurities, but must be judged as *moral* impurities. As has

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Totenkult im Alten Testament," VT 32,2 (1982), 229-234; J. Morgenstern, *Rites of Birth, Marriage, Death and Kindred Occasions Among the Semites* (Cincinnati: Hebrew Union College Press, 1966); Noth, 1962, 135.

<sup>71</sup> The fear of defiling and profaning the cult is illustrated by the frequent use of the roots טמא (1.3.4.11) and חלל (4.6.7.9(2x).12.14.15) in this section, combined with the idea that priests must live a life that sustains their holiness (קדש: Lev 21:6.8(2x).15).



already been noted, moral impurities are far more dangerous than ritual impurities. Also, the impurity caused by the transgressions does not only affect the priest himself, but endangers holiness.

### 1.3.2.2 *Disqualified blemished priests (Lev 21:16-22)*

The structure of the section about the disqualified blemished priests differs from the preceding one. It does not clearly distinguish between, on the one hand, rules applying to priests, and, on the other hand, rules applying to the high priests, as was the case in the section above. Only the words *אך יבא אל-הפרכת לא יבא*, “but he shall not enter before the veil” in Lev 21:23a must exclusively apply to the high priest, because it refers to the ritual acts performed inside the shrine. This does not automatically imply that the words of Lev 21:23b, *ואל-המזבח לא יגש*, “or draw near at the altar,” are also addressed exclusively to the high priest.<sup>72</sup> Contrary to the preceding section dealing with rules for a proper priestly lifestyle, there is no need to make a clear distinction between rules applying to priests on the one side and rules for the high priest on the other. If this section were to parallel the funeral and marital regulations in Lev 21:1-15 stricter rules, with respect to the physical appearance of the high priest, were to be expected, but this is not the case. There is only one rule, and Leviticus 21:23b echoes 21:21 to stress the central point in this section: every priest who has a *מום*, “blemish,” whether he is the high priest or a general priest, is not qualified to offer. The high priest is the only person who may enter in the space behind the veil. Therefore it is obvious that even he who was consecrated with oil and wore special garments could not approach the altar. The rule that blemished priests cannot enact the sacrificial ritual is a general one of which no gradation exists. Indeed, the fact that the same rule applies to all priests marks the importance of this regulation. The regulations concerning a blemished body for a high priest are no stricter than the rules that apply to priests in general, in this matter.

This section is not only different from Lev 21:1-15 concerning its structure, but also with regard to its vocabulary and aim. Lev 21:1-15 is concerned with all kinds of regulations for proper priestly behavior. Yet, the deformities that concern Lev 21:16-23 are congenital or acquired and have

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<sup>72</sup> Cf. Milgrom, *Leviticus* (2000), 1831.

nothing to do with priestly behavior.<sup>73</sup> It has already been noted that in Leviticus 21:1-15 the verbs *טמא* and *הלל* dominate. In this section, the verb *טמא* does not appear at all, and the verb *הלל* is used only once. Instead, the term *מום*, “blemish” (used five times) and the verb *קרב*, “he shall offer” (used five times), and especially the combination *יגש להקריב*, “he shall draw near to offer” (used three times), or simply *יגש* (used once) are the key terms in this passage.<sup>74</sup>

The repetitive use of these words illustrates the major point of this section: priests with blemishes are not qualified to offer. The absence of the use of *טמא* clearly shows that a blemished priest is neither unclean nor profane.<sup>75</sup> Thus, the status of a priest with a physical blemish differs remarkably from that of a priest who has, for example, come into contact with a dead body and who is thus unclean. Such a person could not stay in the temple.

A blemished priest does not endanger the divine sphere, because he is still allowed to eat from the holy and most holy food. The most holy food has to be eaten in a place that is holy. This can be gathered from Leviticus 6:7(Eng 6:14)-7:10 that contains rules about the grain offering (Lev 6:7-16), the sin offering (Lev 6:17-23), and the guilt offering (Lev 7:1-10). With respect to these various offerings it is repeatedly stated that they are most holy (Lev 6:10.18.22;7:6). They can only be consumed by the male descendents of Aron (Lev 6:11.22; 7:6) in a holy place (Lev 6:9.19; 7:6). In the case of the grain and sin offering, this holy place is specified as the courtyard of the Tent of Meeting (Lev 6:11.22). This implies that a priest who may eat from the priestly food is, not only, is ritually clean, but also holy. Moreover, Lev 6:18 states that whoever touches the fire-offerings of YHWH will become holy. For this reason, the state of holiness of a blemished priest who may eat of the holy and most holy offerings cannot be denied.

If the idea that physically blemished priests were not denied access to the sacred places in the sanctuary is correct, then a rendering of the verb *קרב* (qal [Lev 21:17.18]) as “to approach” and *יגש* as “to draw near” (qal [Lev 21:21(2x).23]) may contradict this view.<sup>76</sup> If a priest who has a *מום*

<sup>73</sup> See also Luco J. van den Brom, “Glory and glamour, God en kreukels: theologie en handicaps,” *Kerk en Theologie* (1991), 112.

<sup>74</sup> For the rendering of *יגש* as “to be qualified” see Milgrom, *Leviticus* (2000), 1792

<sup>75</sup> Cf. Porter, 1976, 171

<sup>76</sup> The verbs *קרב* and *יגש* are synonyms. See Milgrom, *Leviticus* (2000), 1829

may not “approach” this seems to imply that such a priest could *not* enter the sacred precincts. Milgrom suggests that the verbs could best be rendered here as “to be qualified.” It is pertinent to note that the rendering of קרב and נגש as “to approach” seems to be inconsistent with the view that a physical blemish does not threaten the holiness of sacred space. Yet, as was already discussed above, it is also questionable whether his interpretation of the verbs is correct. The observation that the verbs קרב and נגש are synonyms is undeniable. However, there is no convincing evidence to support the idea that they should be interpreted as “to be qualified.” According to Milgrom, examples of the rendering “to qualify” in the Hebrew Bible are, for example, in Exod 12:48; 28:1; Ezek 43:19; 44:16. In the Qumran literature it would be attested in 1QS 6:16, and in Rabbinic Literature in *m. ‘Ed.* 5:7 and *m. ‘Ed.* 8:7. Notwithstanding the fact that these examples are not without doubt, no examples are given of the use of the verb נגש meaning “to be qualified.” The fact that קרב and נגש both have the meaning “to approach” does not justify the conclusion that these verbs can also both be interpreted as “to be qualified” when support for this rendering, which is not even convincing, has only been given for one of these verbs. Moreover, the fact verb בוא, which can also be a parallel of the verbs קרב and נגש, appears in the phrase in Lev 21:23a אַךְ אֵלֶּיֶהָפָרַכְתָּ לֹא יָבֹא, “but he shall not enter before the veil,” gives reason to assume a parallelism between these three verbs of motion. Indeed, the appearance of these three verbs of which the interpretation is interchangeable, only makes a rendering of קרב and נגש as “to approach” more legitimate. How, then, must the prohibitions that clearly contain references to the *not* entering of certain holy spaces be understood? If the two given facts –that a blemished priest may enter sacred space, for example, to eat of the holy and most holy food and that a blemished priest may *not* enter sacred space to offer- both are valid observations, only one solution is possible: that only during the performing of the sacrificial ritual may a blemished priest not enter those precincts of the sanctuary that are needed during the offering. This automatically means that a blemished priest is not qualified to offer as Milgrom reasons, but the text itself does not want to make this claim by the use of the verbs קרב and נגש.

As was stated earlier in the comments on the text of Lev 21:16-23, it is hard to determine the precise meaning of the term מִקְדָּשִׁי in Lev 21:23. The most likely possibility seems a rendering of the word as “my sanctums.” Milgrom stated earlier that blemished priests did not threaten the holy character of the holy and most holy food, and that consequently blemished

priests could approach all other holy sanctums without danger. Yet, he seems to contradict himself. In situations that have nothing to do with the actual performing of the sacrificial ritual, blemished priests do not, therefore, desecrate the sanctums, so the phrase *וְלֹא יִחַלֵּל אֶת־מִקְדָּשִׁי* must be connected to *וְגִי* in Lev 21:23b. Only in very specifically defined situations the blemished priest may be a threat to holiness. It remains unclear whether the text means that during offering a blemished priest desecrates the sanctums, the holy precincts, or the sanctuary.<sup>77</sup> In either case, it is certain that this threat of desecration is temporary. Under all circumstances other than the performing of an offering a blemished priest does not desecrate the holy space.

The transgressions of the rules concerning a proper priestly lifestyle must be regarded as causing moral impurities and, as a result, cause great dangers for the maintenance of holiness. In the same way the transgression of the prohibition that physically deformed priests offer also causes moral impurities. Although the punishments for the transgressions are not specified, the reader could expect what might happen to the trespasser: in most cases he is killed.<sup>78</sup>

### 1.3.2.3 *Other Possible Reasons for the Exclusion*

As mentioned above, priests with a *מוֹם* were not disqualified from performing offerings for purity concerns. Van den Brom takes a different angle when he tries to answer the question as to why priests with deformities are excluded. Van den Brom thinks that the reason for the exclusion of priests with a physical blemish must be linked to economical concerns. According to Van den Brom, the common denominator behind the blemishes listed is physical appearance. The defects do not hinder a priest from properly performing his priestly duties.<sup>79</sup>

The reason why Leviticus excludes blemished priests is rooted in economical concerns. He refers to Mal 1:6-10 that connects the offering of blemished animals with disdaining the name of YHWH. YHWH deserves only the best, just as the gifts for a governor should be outstanding.

<sup>77</sup> The rendering of the LXX is, however, the most unlikely one since the Hebrew text would then probably have had the singular form *מִקְדָּשִׁי* instead of the plural *מִקְדָּשִׁי*.

<sup>78</sup> Cf. Exod 28:43; 30:20-21; Lev 10:6,9; 16:2, 13; 22:9; Num 4:15, 19-20; 17:28, 18:23, 22, 32; Exod 12:15, 19; 31:14.

<sup>79</sup> Van den Brom, "Glory and Glamour," 112.

Leviticus forbids assigning persons as priests who have no benefit for Israel's prosperity because of their blemish. In setting apart able-bodied persons for the cult, Israel shows its faith in YHWH. Or to put it another way: Israel may not use economically worthless persons for the priesthood so as to reserve the able-bodied for the welfare of the economy.<sup>80</sup>

There is one weak point in Van den Brom's hypothesis. In his introductory remarks, Van den Brom states explicitly that the list in Lev 21:16-23 primarily focused on a priest's physical *appearance* rather than on his physical *functions*. Although he may be right in that YHWH demands only the best, it is unlikely that economical considerations are the basis of the prohibition. Van den Brom states that the physical blemishes in the list did not prevent a priest from performing his task.<sup>81</sup> If these blemishes did not prevent a priest from performing the sacrificial ritual, it can be likewise assumed that they did not prevent a person from doing his daily tasks as a laborer.

### 1.3.3 Hierarchy in the Priesthood

Although it is now clear that a priest's physical blemish only seems to be a problem when the sacrificial ritual is performed, the question remains why a blemished priest may not offer even when he is in a state of holiness and ritual purity. The answer must be that such a priest apparently was not holy enough to do the job. Just as physically blemished sacrificial animals were not suitable to be offered because they would otherwise *לא לרצון*, "not be acceptable," (Lev 22:19, 20, 21, 25), it was likewise inappropriate that a priest who was not as holy as he should be could bring the offerings. The idea of a graded priesthood next to the well-known differentiation between the priests and the high priest may seem redundant, but there are other examples in the Hebrew Bible of differentiation within the differentiation.

It is not possible to be "more or less" pure, or "more or less" profane. There exists no gradation in pureness and profaneness. This is not the case, with respect to the states of holiness and impureness.<sup>82</sup> Within the state of holiness or impurity it is possible to discern states of greater or lesser holiness or impurity. Several aspects of impurities indicate a process of grading. As has already been noted in the above, a first distinction in severity

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<sup>80</sup> Van den Brom, "Glory and Glamour," 123.

<sup>81</sup> Van den Brom, "Glory and Glamour," 112.121-122.

<sup>82</sup> D.P. Wright, "Holiness," (*ABD* III, 238-239)

of impurities can be made between ritual and moral impurities - the former of which are less dangerous than the latter. Apart from this first categorization of impurities, some other aspects determine the severity of an impurity. The first aspect is a matter of timing. The purification time after the attainment of an impurity differs from case to case. The more severe the impurity, the longer the period needed to be purified. Another element in the determination of the severity of the impurity is the offerings that are needed to be able to return to a state of purity again. Thus, in cases of minor impurities the offerings that are needed are less expensive and less complex than in the case of major impurities.

Grading can also be discerned in cases of holiness. The clearest example is, of course, the distinction between the high priest on the one hand, and general priests on the other. However, also within the priestly class we can see a gradation between some priests that are holier than others. We return to this subject later. Gradation in holiness also exists in the different types of offerings. Offerings are also divided into holy and most holy offerings. However, within the class of holy offerings, we might also see holy offerings that are holier than other holy offerings. This can be drawn from the observation that some parts of the holy offerings may only be eaten by the priests and are thus holier than the parts that may also be eaten by the people. However, there is also the principle of timing that shows that some offerings are holier than others. This is the case with peace offerings that must be eaten on the very same day they were offered. Anything that is left over from this offering must be destroyed and burned with fire. There are also offerings that can still be eaten the day after they have been offered. On the third day, the leftovers from this sacrifice must be completely burned and destroyed. Wright argues that it may be deduced from the timing in which the offerings must be consumed, that the offering with a longer time scale of consumption is less holy than the offering that can only be eaten within one day. This idea is supported by the observation that all most holy offerings must also be eaten on the very same day they were offered.

Lev 21:16-23 is an example of distinguishing between holy and less holy priests within the class of general priests. Priests with unwhole bodies are not unclean, nor are they profane, but they are not as holy as their colleagues who have whole bodies, because they are disqualified from offering.

## 1.4 Conclusions

The interpretation of Leviticus 21:16-23 shows that every priest who suffered a physical blemish was disqualified from performing the sacrificial ritual. Although the text does not explain the motivations behind this exclusion, it becomes clear that a blemished priest was not regarded as unclean or unholy, since he was not forbidden to eat from the holy food in the holy portions. This distinguished him from his colleagues who had violated the funeral or marriage regulations and were thus totally unfit and unqualified to carry out the priestly tasks or share in the priestly emoluments.

The fact that a blemished priest could still eat from the priestly food in the sacred precincts seemed to be contradictory to the claim that a blemished priest could not approach to offer, which seemed to imply a prohibition of entering sacred space. The tension was resolved by the suggestion that unwhole priests were less holy than their whole colleagues and not holy enough to be qualified to offer. However, a priest's blemish was only a threat to holiness during the actual performing of the sacrificial ritual. In all other aspects of priestly life, the physical blemished priest was equal to his unblemished ritually clean colleagues.





# 2

## Exclusion From the Holy Council (1QSa 1:25-2:11)

### 2.1 Introduction

Among the manuscripts found in the caves at Qumran, were various documents containing rulings, laws and ordinances. Within these types of documents, one specific genre is discernable that can be defined as the so-called rule-books or *Serakhim*. There are only five documents that designate themselves (in part) as *Serakhim*: 1) The *Rule of the Community* (1QS) with the attached *Rule of the Congregation* (1QSa) and the *Rule of the Benedictions* (1QSB),<sup>1</sup> 2) the *Damascus Document* (CD; 4Q266-273, 5Q12, 6Q15), 3) 4Q265 or 4QMiscellaneous Rules,<sup>2</sup> and 4) the *War Scroll* (1QM).<sup>3</sup> What these documents have in common is that their content exclusively applies to the Qumran Community, which regarded itself as the ideal Israel both in this age and in the future. Because of the exclusivity of the contents and because of the fact that the word סרך, “rule,” only occurs in these three documents the genre of *Serakhim* should not be applied to other texts that are also orderly statements.<sup>4</sup>

<sup>1</sup> For a reference to 1QSa as rule-book also see: Hartmut Stegemann, “Some Remarks to 1QSa, to 1QSB, and to Qumran Messianism,” *RevQ* 17 (1996), 479.

<sup>2</sup> This document was previously known as 4QSerekh-Damascus.

<sup>3</sup> See Philip S. Alexander, “Rules,” in: L.H. Schiffman and J.C. VanderKam (eds.), *Encyclopedia of the Dead Sea Scrolls* (Oxford: Oxford University Press, 2000), 799-803.

<sup>4</sup> Thus, strictly speaking, a Qumran community document as MMT that contains laws governing topics not specifically concerned with life within the community, does not qualify as a *Serekh* in this definition.

This chapter deals with the rule book known as the *Rule of the Congregation* (1QSa).<sup>5</sup> It is used as one source for investigating attitudes towards persons with disabilities within the Qumran Community. Although some Qumranic writings may give the impression that persons afflicted with physical deformities could not become a member of the community in Qumran at all,<sup>6</sup> one particular passage in the *Rule of the Congregation*, 1QSa 1:25-2:11, shows that disability was a subject the Qumran community members were confronted with in their daily lives. The regulations in 1QSa demonstrate that every time an assembly took place, special measures were taken for those afflicted with various kinds of disabilities.

The main question in this chapter concerns the motivation for these measures and their implications for social participation of persons with disabilities within the community. After an introduction to the document and its content, the text and translation of the ruling on the convocation of an assembly in 1QSa 1:25-2:11 are presented. Next, a discussion of elements in

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<sup>5</sup> See for editions, translations and/or commentaries: D. Barthélemy and J.T. Milik (eds.), *Qumran Cave I* (DJD 1; Oxford: Clarendon Press, 1955[cited here as DJD 1], 107-130 and pls. XXII-XXIV; Pietro Boccaccio and Guido Berardi, *תקנון הקהילה Regula Congregationis [1QSa]. Fac Simile. Transcripto et Versio Latina Cum Notis* (second edition; Fani: Pontificium Seminarium Picenum, 1959); Eduard Lohse, *Die Texte aus Qumran. Hebräisch und Deutsch* (München: Kösel Verlag, 1964), 45-51; Jacob Licht, *The Rule Scroll: A Scroll from the Wilderness of Judaea – IQS, IQSa, IQSb: Text, Introduction and Commentary* (Jerusalem: Bialik, 1965) [Hebrew]; Lawrence H. Schiffman, *The Eschatological Community of the Dead Sea Scrolls. A Study of the Rule of the Congregation*. (Society of Biblical Literature Monograph Series 38; Atlanta, Georgia: Scholars Press, 1989); J.H. Charlesworth and L.T. Stuckenbruck (eds.), *The Dead Sea Scrolls: Hebrew, Aramaic, and Greek Texts with English Translations. Volume I: Rule of the Community and Related Documents* (PTSDSSP 1, Tübingen: J.C.B. Mohr/Paul Siebeck; Louisville: Westminster/John Knox Press, 1994), 108-117; Geza Vermes, *The Dead Sea Scrolls in English*, (Sheffield: Sheffield Academic Press, 1995), 119-122; Michael Wise, Martin Abegg, Jr. and Edward Cook, *The Dead Sea Scrolls. A New Translation* (London: HarperCollins, 1996), 143-147; Florentino García Martínez and Eibert J.C. Tigchelaar (eds.), *The Dead Sea Scrolls Study Edition. Volume I (1Q1-4Q273)* (Leiden/Boston/Köln: Brill; Grand Rapids, Michigan/Cambridge: William B. Eerdmans Publishing Company, 1997), 98-103. Photographs: PAM 40.513; 42.141; 42.459; 42.926. See for an edition of 4Q249a-i: Stephen J. Pfann e.a. (eds.), *Qumran Cave 4. Cryptic Texts and Miscellanea, Part I* (DJD 36; Oxford, Clarendon Press, 2000), 534-574 and pls. XXXV-XXXVII. Photographs: PAM 43.409; 43.410; 43.411.

<sup>6</sup> See, e.g., George J. Brooke, "Body Parts in *Barkhi Nafshi* and the Qualifications for Membership of the Worshipping Community," in: Daniel K. Falk, Florentino García Martínez, and Eileen M. Schuller (eds.), *Sapiential, Liturgical and Poetical Texts from Qumran: Proceedings of the Third Meeting of the International Organization for Qumran Studies, Oslo 1998, Published in Memory of Maurice Baillet* (STDJ 35; Leiden: Brill, 2000), 79-94.

the text that need clarification follows. The last section of the chapter addresses the motivation behind the ruling on the role of disabled persons within the assembly. It appears that the presence of Holy Angels is the key impetus for disqualifying persons afflicted with any kind of physical deformity from the assembly. In order to understand the importance and the meaning of angelic presence in relation to disability, it is investigated what could have functioned as possible sources for introducing Holy Angels in the document, and how community with angels could be interpreted.

## 2.2 The Rule of the Congregation within the Rule Scroll

The *Rule of the Congregation* (1QSa) is a rule-book and as such is a non-biblical text.<sup>7</sup> It survived in a manuscript that belonged to the so-called *Rule Scroll*<sup>8</sup> - a scroll that contained the *Rule of the Community* (1QS), the *Rule of the Congregation* (1QSa), and the *Rule of the Benedictions* (1QSB).<sup>9</sup> The three documents were initially marketed separately and the contents of 1QSa and 1QSB were still unknown when the *Rule of the Community* (1QS) was published in 1951.<sup>10</sup> When 1QSa and 1QSB were sold together to the Rockefeller Museum in 1950 as remains of the findings of 1947, these two manuscripts were recognized as belonging to the same scroll as the already published 1QS.<sup>11</sup>

The first document on the scroll is the *Rule of the Community* (1QS). This text is much better preserved than the two smaller documents at the end of the scroll, the *Rule of the Congregation* (1QSa) and the *Rule of the Benedictions* (1QSB). This is because the scroll was kept with the beginning

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<sup>7</sup> The rule is called *Rule of the Congregation* by Barthélemy (DJD 1, 108), and this title has been taken over by most scholars. See also: Boccaccio, *Regula Congregationis*; Lohse, *Die Texte*, 45, who calls it "Gemeinschaftsregel"; Schiffman, *Eschatological Community*; Charlesworth, PTSDSSP 1, 108; García Martínez and Tigchelaar, *DSSSE I*, 98-99. The rule is also known as *The Messianic Rule*. See: Vermes, *Dead Sea Scrolls in English*, 119. Wise *et al.* (eds.), *A New Translation*, 143 refer to the rule as *Charter for Israel in the Last Days*.

<sup>8</sup> Schiffman, *Eschatological Community*, 8.

<sup>9</sup> See DJD 1, 107 and 119.

<sup>10</sup> See M. Burrows (ed.), *The Dead Sea Scrolls of St. Mark's Monastery* (vol. 2; New Haven: The American Schools of Oriental Research, 1951).

<sup>11</sup> See DJD 1, 108; Emile Puech, "Préséance sacerdotale et messie-roi dans la règle de la congrégation (1QSa ii 11-22)," *RevQ* 16.3 (1994), 351.

columns of the text in the innermost layers of the scroll and with the last columns on the outside. Despite the damaged appearance of the two scrolls, the shape of the damaging shows that they must have followed immediately after the last columns of 1QS.<sup>12</sup> There are three other indications that attest that the three documents once belonged to the same scroll. The first indication is that the three documents have clear resemblances in writing and in material. Secondly, traces of stitches on the manuscript of 1QSa exactly match those of 1QS.<sup>13</sup> A third clue that the three documents were once united as one scroll, is evidenced by a small fragment that was sold to the museum together with the documents bought in 1950. This fragment, which has stitches that exactly match needle holes on the 1QS document, contains the remains of what was presumably a title or an index of the entire scroll. The title must have been stitched upside down at the first column of 1QS, so that this title became visible when the scroll was correctly rolled up. The words סר, "[Rul]e of the Community and from[ ,]" on the title fragment indicate that the scroll contained the 1QS document followed by something else.<sup>14</sup> This "something else" seems to apply to 1QSa and 1QSB. The words ומן, "and from," on the title fragment further indicate that although the three documents were part of one scroll, they were not regarded as one single literary unit, but as three separate rules.<sup>15</sup> This is confirmed by the observation that every single literary unit starts on a new sheet of leather and that both 1QS and 1QSa end with a paragraph sign followed by a blank of about 8 lines.<sup>16</sup>

The entire *Rule Scroll* has a considerable length of about 300 cm.<sup>17</sup> The first document on the scroll, the *Rule of the Community* (1QS), measures 189 cm and has eleven columns written on five sheets of leather. The

<sup>12</sup> Stegemann, "Some Remarks," 480-481.

<sup>13</sup> See DJD 1, Plate XXIII and PAM 40.513 and 42.459; Puech, 1994, 352, n. 1, adds to this that the color photographs clearly show remainders of a seam on the left side of the last column of 1QS.

<sup>14</sup> See DJD 1, Plate XXII and PAM 40.077.

<sup>15</sup> Stegemann ("Some Remarks," 481-482) has shown that, although the *Rule Scroll* clearly contained independently composed texts, these texts were not arbitrary sewn together. As is discussed below, indications within the texts itself show that the text related to each other and were combined in a secondary stage of their literary transmission.

<sup>16</sup> See DJD 1, 107 for a detailed description of the arguments for taking together 1QS, 1QSa and 1QSB.

<sup>17</sup> See Stegemann, "Some Remarks," 480.

following document, the *Rule of the Congregation* (1QSa) is written on one sheet of leather and is 29,5 cm. The remains of the *Rule of the Benedictions* (1QSB) are written on two sheets that measure 72,5 cm in total. The first sheet contains four columns and the last sheet contains the fifth column of 1QSB. The total length of 1QSB was probably longer, but about two additional columns of the text are now lost.

F.M. Cross has dated the entire exemplar of the *Rule Scroll* to 100-75 BCE.<sup>18</sup> The three texts were initially composed as works of their own and combined into one document at a secondary stage.<sup>19</sup> Hartmut Stegemann provides internal literary evidence for this idea. He points at the opening formula וזה הסרך, “and this is the rule” in 1QS 5-11 and 1QSa 1:1 as a tool to relate different rules within the whole *Rule Scroll*. According to Stegemann, the phrase וזה הסרך לאנשי היחיד, “and this is the rule for the men of the community,” in 1QS 5:1 introduces a separate literary unit that once existed as a separate “book.”<sup>20</sup> The opening formula וזה relates this section to the rule described in 1QS 1:1-3:12. The same applies to the phrase וזה הסרך לכל עדת ישראל, “and this is the rule for every congregation of Israel,” in 1QSa 1:1. Here, too, the opening formula וזה functions as a possible reference to the forerunning rules in the scroll in 1QS 1:1-3:12 and columns 5-11.<sup>21</sup> The ten 4QS manuscripts (4QS<sup>a-j</sup>) also show that the manuscripts existed independently before they were joined in their present form.<sup>22</sup> Stephen Pfann has identified nine fragments of the *Rule of the Congregation* from Cave 4, belonging to no less than nine different copies of the composition.<sup>23</sup> Based upon palaeographic features, the manuscripts are dated

<sup>18</sup> F.M. Cross, “The Development of the Jewish Scripts,” in: G. Ernest Wright (ed.), *The Bible and the Ancient Near East. Essays in Honor of William Foxwell Albright* (Garden City, New York: Doubleday & Company, Inc., 1961), 170-264.

<sup>19</sup> DJD 1, 107; See for a study on the scribe of 1QS: Eibert Tigchelaar, “In Search of the Scribe of 1QS,” in: Shalom M. Paul et al. (eds.), *Studies in Hebrew Bible, Septuagint and Dead Sea Scrolls in Honor of Emanuel Tov* (Leiden/Boston: Brill 2003), 439-452.

<sup>20</sup> Stegemann, “Some Remarks,” 481. Stegemann refers to 4QS<sup>b</sup> (4Q256) 5 1:1 and 4QS<sup>e</sup> (4Q258) 1 1:1 to support his idea that columns 5-11 of 1QS originally existed as a separate *Serekh*, regulating life-style within the community.

<sup>21</sup> Stegemann, “Some Remarks,” 481-482.

<sup>22</sup> Charlesworth, PTSDSSP 1, 53-106.

<sup>23</sup> DJD 36, 534; 4Q249a, b and 4Q249c, d, e were dated to the early second century BCE; 4Q249f and 4Q249i were dated to the middle of the second century BCE; 4Q249g, h were dated to the last quarter of the second century BCE.

by its editor between the early second century and the last quarter of the second century and therefore they all would predate the present 1QSa document. Pfann provides an updated transcription of 1QSa based upon his interpretations of scribal errors and his readings of the Cave 4 manuscripts. He states that the 4QSa manuscripts confirm the restorations of Barthélemy's edition of 1QSa in DJD 1. His edition only differs from Barthélemy's when "the cave 4 fragments have provided a new reading within a lacuna of 1QSa or when new photographic or philological information has clarified a reading."<sup>24</sup> Because the fragments Pfann identified as textual witnesses of the early history and development of 1QSa are in an extremely poor condition and written in cryptic Hebrew script, it is hard to judge his work which has not generally been followed. Pfann's conclusions on the dating of the fragments have not remained unchallenged and, therefore caution is needed when referring to his research.<sup>25</sup>

### 2.3 Literary History

If Pfann's findings are not taken into account, there is no evidence of other witnesses for 1QSa in Qumran literature. The commonly held view is that, in its present setting, 1QSa as a whole refers to a period that according to 1QSa 1:1 takes place בְּאַחֲרִית הַיָּמִים, "in the final days." The rule describes a congregation of faithful Israelites who prepare for the eschatological war and the coming of the Messiah. The basis for this eschatological outlook lies in

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<sup>24</sup> DJD 36, 534.

<sup>25</sup> Michael O. Wise ("Dating the Teacher of Righteousness and the *Floruit* of his Movement," *JBL* 122.1 [2003], 62, n. 26) states on this matter: "When it comes to 4Q249, several observations are in order. First, the fragments are so exiguous that any identification is perforce very tentative; thus we do not know that these portions really do derive, as their editor Steven Pfann suggests, from nine copies of the *Rule of the Congregation*. Second, since they are inscribed in the poorly exemplified Cryptic Script A, they cannot be dated paleographically within an order of magnitude even of the uncertainty that appertains to the other forms of the Jewish scripts. An third, Pfann has attempted to triangulate his dating of the cryptic materials largely on the basis of radiocarbon dating performed on 4Q249 some years ago. Since the time of that testing, however, the calibration curve has been updated twice, significantly affecting the original test results (...)."

the document's introductory line in 1:1 that refers to the end of days<sup>26</sup> and the reference to a Messianic banquet at the end in 2:11b-22. Since the first publication of the *Rule of the Congregation* (1QSa) in 1955, different views on the historical backgrounds of the document have influenced research in the field of Qumran studies. Because there are many linguistic and thematic parallels between 1QSa and 1QS on one hand, and various differences between the two texts on the other, questions about the precise relation between 1QSa to 1QS, and the character of 1QSa have puzzled researchers. There has been no consensus as to whether the two documents address a similar audience or whether 1QSa originally existed independently as an eschatological work. Until today research has been dominated by two major questions: 1) Is the congregation described in 1QSa equal to the community addressed in 1QS? 2) Must 1QSa as a whole be interpreted as an eschatological work?

The classic position taken by Barthélemy was that the *יחז*, "community," of 1QS had a different character than the *עדה*, "congregation," which appears in 1QSa. This immediately becomes apparent by looking at 1QSa 1:1 in which the document's title appears: ... וזה הסרך לכול העדה. The word *עדה*, "congregation" appears 19 times in 1QSa against only twice in 1QS, in which word *יחז*, "community," is dominant. According to Barthélemy these words are not to be regarded as synonymous. Indeed, a closer look at the manuscripts would show that two different social organizations are addressed. Barthélemy is of the opinion that 1QSa describes a congregation of faithful Israelites preparing for a final eschatological battle. In the document an ideal picture of Israel appears, including women and children and people of diverse age. Nevertheless, it has a military character. The image of the community of 1QS cannot be equated with the congregation of 1QSa. This rule speaks of a community that has a more civil structure.<sup>27</sup> Yet, it does not speak about women and children or married life. Thus, contrary to the relatively open military society

<sup>26</sup> וזה הסרך לכול עדת ישראל באחרית הימים, "And this is the rule of all the congregation of Israel in the final days." This view is held by Schiffman, *Eschatological Community*; Charlesworth, PTSDSSP 1, 108; Vermes, *Dead Sea Scrolls in English*, 119; Wise *et al.* (eds.), *A New Translation*, 143-44. Cf. Annette Steudel, "אחרית הימים" in the Texts from Qumran," *RevQ* 16(1993), 59.

<sup>27</sup> DJD 1, 108.

of the *Rule of the Congregation* (1QSa), the *Rule of the Community* (1QS) describes a closed society that resembles that of a monastery. According to Barthélemy, this closed society fits very well with the ideas of the Essene sect, whereas the congregation preparing the eschatological battle shows resemblances with the congregation (συναγωγή) of the Hassidim described in the Book of the Maccabees. Taking up the view that the Hassidim and the Essenes were both realizations of the same movement in two successive periods, Barthélemy argues that 1QSa can be dated to the time of the Maccabean revolt. 1QS, on the other hand, would represent the same movement, but in a later period of its evolution, the date of which cannot precisely be provided.<sup>28</sup>

Schiffman, who argues that 1QSa employs a similar theology and doctrine as the *Rule of the Community* (1QS), took a different position. He thinks that the future events described in 1QSa are a kind of mirror image of the society in the *Rule of the Community* (1QS). The Qumranites believed that the end of days was dawning and that they were already living as if the Messianic age was present. The way of life prescribed in the *Rule of the Community* (1QS) foreshadows a time in which a similar level of perfection and purity would be emblematic for the new messianic reality. Schiffman therefore believes that the laws described in the *Rule of the Congregation* (1QSa) were actual in the life of the Qumranites and were equally important as the regulations in the *Rule of the Community* (1QS).<sup>29</sup> If this idea is accepted, the description of the expected future could be used to investigate the theology and lifestyle of the Qumran society in its present.

It was not until 1996 that doubts have arisen about this widely held view. According to Hartmut Stegemann,<sup>30</sup> 1QSa is the earliest rule-book of the Essenes<sup>31</sup> and therefore is older than the *Damascus Document*, but also older than columns 5-11 of the *Rule of the Community* (1QS).<sup>32</sup> Stegemann

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<sup>28</sup> DJD 1, 108.

<sup>29</sup> Schiffman, *Eschatological Community*, 9; see also Charlesworth, PTSDSSP 1, 108.

<sup>30</sup> See Hartmut Stegemann, *Die Essener, Qumran, Johannes der Täufer und Jesus* (Freiburg/Basel/Wien: Herder, 1994), 159-162; Stegemann, "Some Remarks," 479-505.

<sup>31</sup> Stegemann uses the term "Essenes" for the members of the community in Qumran and for persons who lived in the towns and villages outside Qumran who shared the ideals of the group.

<sup>32</sup> At least in the present form with the secondary section (1QS 8:15b-9:11) included. See Stegemann, "Some Remarks," 479. 496.



opposes the idea that 1QSa and 1QSB were designed for the future of the Essenes and he also rejects the suggestion made by Licht and Schiffman that next to the Royal Messiah a prominent role was reserved for the Priestly Messiah.<sup>33</sup> He states: “(...) there is no trace of the Priestly Messiah either in 1QSa or in 1QSB, and both works were not composed for some future times, but for the present of the Essenes like different parts of 1QS I-XI and CD.”<sup>34</sup> The *Rule of the Congregation* (1QSa) would thus attest to an early stage in the development of the Essenes when they were already thinking that the end of days was dawning and that the Royal Messiah could come any time.

The reason for placing 1QSa in future times is mainly given by the interpretation of the final section of the rule. 1QSa 2:11-22 is commonly interpreted as a description of the messianic or eschatological banquet, which is imagined as one special meal.<sup>35</sup> Stegemann, however, argues that it is more likely that 1QSa 2:11-22 parallels the regulations in 1QS 6:2-6. The only difference between the two texts is that 1QSa provides for the special occasion in the future when the Messiah may join the assemblies. Thus, the last section of the *Rule of the Congregation* (1QSa) does not envisage one specific messianic banquet, but provides rulings for banquets in the present, with prescriptions for the possible presence of the Royal Messiah sometime in the future.<sup>36</sup> This observation has consequences for the interpretation of the term כול עדת ישראל in 1QSa 1:1 and 2:12. Because the rule governs the present life of the Essenes it provides regulations for each time the community gathered. As a result, according to Stegemann, it is better to render the words כול עדת ישראל as “every Israelitic congregation” and not as “the whole congregation of Israel.”<sup>37</sup>

As stated above, Stegemann also opposes the idea of a Priestly Messiah. There are two indications in the text that הכוהן in 1QSa 2:19 is not the high priest of messianic times. The first indication is that the special prescription about the order of sitting for הכוהן and המשיח in 1QSa 2:11-12 would be meaningless if הכוהן refers to the Priestly Messiah. The ruling prescribes that הכוהן has superiority above the Messiah at meals and in the

<sup>33</sup> See Licht, *The Rule Scroll*, 33 and Schiffman, *Eschatological Community*.

<sup>34</sup> Stegemann, “Some Remarks,” 488.

<sup>35</sup> See DJD 1, 121 and Schiffman, *Eschatological Community*, 53.

<sup>36</sup> Stegemann, “Some Remarks,” 488-492.

<sup>37</sup> Stegemann, “Some Remarks,” 492.

sitting order and sequence of blessings. If הכוהן would be the Priestly Messiah then this ruling would be superfluous, since, according to Stegemann, every Essene was very well aware of the fact that the High Priest is superior to the Royal Messiah and therefore a special ruling to ensure the superiority of the first is not necessary. The only situation in which the ruling would make sense, is when the gathering was presided by a normal priest. In such a case it could be argued that the Royal Messiah was higher in rank than an ordinary priest. The ruling in 1QSa 2:11-12, however, makes clear that this not the case. According to Stegemann, “(...) the Messiah and his men must rank in sitting *after* the presiding priest and all his bretheren [sic!] (1QSa II,11-17), and even the simplest priest must start eating and drinking with his blessings. The Messiah may never take over the leading role at common meals.”<sup>38</sup> A second indication that the text is speaking about a non-eschatological priest can be found in the use of the term המשיח, “the Messiah” in 1QSa 2:12. The use of this term without further specification would imply that the text has only one messianic figure in mind. This is why, according to Stegemann, הכוהן, “the priest,” mentioned in 1QSa 2:19 cannot be identified as a messianic figure at the same time.<sup>39</sup> These two indications make it probable that the Essenes had not yet developed the concept of the Priestly Messiah at the time when 1QSa was composed.

An important indication for interpreting 1QSa as referring to the future is the opening phrase of the whole rule in 1QSa 1:1a, which states: וזה הסרך לכול עדת ישראל באחרית הימים. In DJD 1, Barthélemy interpreted these words as: “Voici maintenant le règlement pour toute la Congrégation d’Israël à la fin des temps.”<sup>40</sup> In this rendering, the congregation of Israel is seen as a plenary assembly of all Israel in a future time. According to Stegemann, this understanding is erroneous.<sup>41</sup> As was already discussed above, Stegemann proposed to translate the words כול עדת ישראל as “every Israelitic congregation.” This rendering refers to the different kinds of assemblies discussed in 1QSa 1:6-25 on the one hand, and in 1QSa 1:25-2:11 on the other. These assemblies were conceived to happen in the present,

<sup>38</sup> Stegemann, “Some Remarks,” 493.

<sup>39</sup> Stegemann, “Some Remarks,” 493.

<sup>40</sup> DJD 1, 111.

<sup>41</sup> Stegemann, “Some Remarks,” 493-495.

although the words באחרית הימים seem to indicate the contrary. Yet, a study by Annette Steudel has shown, that these words can be understood as referring to the last days of the present time.<sup>42</sup> Because the Essenes believed that the present time would end in due time with the coming of the Messiah the words באחרית הימים must be understood as the last period of history in the present time.

Another convincing argument that 1QSa reflects present-day concerns is the fact that there are rules excluding certain groups of persons from the assembly. The reason for excluding these persons is that they did not meet the standards of wholeness and purity. In the time of salvation, however, regulations about these issues were no longer needed. Therefore, these rulings seem only sensible in the present time, when evil still existed within Israel.<sup>43</sup>

Charlotte Hempel gives an alternative interpretation.<sup>44</sup> She argues that 1QSa contains a nucleus (1QSa 1:6-2:11a) with rules for an existing earthly community. Because this section covers a considerable part of 1QSa (35 out of 52 lines) its interpretation greatly influences one's perception of the whole document.<sup>45</sup> This isolated section begins with a new heading, an indentation and a paragraph sign and no reference is made to the final days. Hempel thinks that, besides the fact that 1QSa is found on the same scroll immediately after 1QS, the first three introductory lines of 1QSa and the description of the Messianic banquet in 1QSa 2:11b-22 have been misleading. A closer examination shows that the core of the work has no indications of a messianic background. 1QSa 1:6-2:11a therefore may be interpreted as a rule for the Essene parent movement of the Qumran community. This rule probably existed independently and underwent a Qumranic redaction at the end of the section and the whole piece was later incorporated into its eschatological context. Hempel sees parallels between the core section of 1QSa and the communal legislation of the *Damascus Document* and proposes that these two documents came from a similar, or

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<sup>42</sup> Steudel, "אחרית הימים", 225-246.

<sup>43</sup> See Stegemann, "Some Remarks," 494-495.

<sup>44</sup> Charlotte Hempel, "The Earthly Essene Nucleus of 1QSa," *Dead Sea Discoveries* 3,3 (1996), 253-269.

<sup>45</sup> Hempel, "Earthly Essene Nucleus," 269.

even an identical, community.<sup>46</sup> The introduction of the *Rule of the Congregation* (1QSa) on the other hand, shows remarkable terminological similarities with the *Rule of the Community* (1QS) and refers to a different community than the one addressed in 1QSa and the *Damascus Document*.

The above analysis demonstrates that over time the interpretation by Barthélemy and Licht of 1QSa as a document with an eschatological outlook, gradually shifted to an understanding of the text as a rule for the community in the present time. First, Lawrence Schiffman, who still believed that 1QSa described future events, stated that the rulings of the text were actual in the lives of the community members. Five years later, Hartmut Stegemann denied the messianic outlook of the entire scroll. Only the statement about the Messiah at the end of the document takes the possibility of a future event into consideration. Yet, this remark belongs to rulings applying to present day gatherings at meals. In the same year, Charlotte Hempel also began to question the eschatological character of the entire text of 1QSa. She believed that the core of the rule had no messianic background and that the beginning and end of 1QSa were added at a later stage to give the rule its eschatological perspective.

Hempel has convincingly shown that at least the core of the *Rule of the Congregation* (1QSa) describes an existing earthly community.<sup>47</sup> In a later period this section was provided with an introduction (1QSa 1:1-5) and a description of a banquet became the conclusion of the rule (1QSa 2:11-22). Although the words באחרית הימים, “in the final days” in 1QSa 1:1 and the description of the banquet may point to the eschatological future, it is also possible to interpret them as a description of the present. This study does not favour one interpretation above the other, but agrees with Hempel that the document contains an earlier section to which the introductory lines in 1QSa 1:1-5 and the end section about the banquet were added at a later stage. It is remarkable that this earlier section has no reference to the “final days” or the coming of the Messiah. Moreover, the section can be isolated from the introduction and the epilogue by its new heading, an indentation and a

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<sup>46</sup> See: Hempel, “Earthly Essene Nucleus,” 260-269 for a detailed analysis of the parallels between the legislation of the *Rule of the Congregation* and the laws of the *Damascus Document*.

<sup>47</sup> See Hempel, “Earthly Essene Nucleus,” 253-269.

paragraph sign.<sup>48</sup> This study holds that the rulings of at least 1QSa 1:6-2:11 were valid to the lives of the Qumran members in its present time.<sup>49</sup> The passage on the convocation of an assembly in 1QSa 1:25-2:11 describes a practice that was not one special occasion but a recurring event. The assemblies are not eschatological. This belief is strengthened by Stegemann's remark that the ruling in 1:25-2:11 would not have made sense in the ideal Messianic age.

It is likely, that the *Rule of the Congregation* (1QSa) was attached to the *Rule of the Community* (1QS), because the editor of the *Rule Scroll* saw a connection between the doctrines of both texts. It may therefore be reasonable to support with Schiffman's theory that the regulations of 1QSa mirror those in the *Rule of the Community* (1QS). The *Rule of the Congregation* is written on a new sheet of leather after a paragraph sign and a blank at the end of 1QS. In this way, the editor of the *Rule Scroll* made clear that although the texts were related, they were not regarded as one and the same ruling.

## 2.4 Structure

In its present form, the *Rule of the Congregation* can be divided into three parts, 1) an introduction that relates the rule to the final days (1QSa 1:1-5), 2) a core section with various rulings for the congregation, 3) rulings for a banquet. The second part is the most important for this study, because it contains a section that disqualifies groups of persons, some of whom are afflicted with disabilities, from participation in the assembly.

The introduction in 1QSa 1:1-5 can be distinguished from the main part of the rule (1QSa: 1:6-2:11) by the two independent introductory formulae in 1QSa 1:1 and 1:6. The first introduction in 1QSa 1:1 is as follows: וזה הסרך לכול עדת ישראל באחרית הימים, "And this is the rule of all

<sup>48</sup> Hempel, "Earthly Essene Nucleus," 253.

<sup>49</sup> That the idea of the non-eschatological character of 1QSa 1:6-2:11 is received positively by scholars is illustrated in a recent publication by Géza G. Xeravits, *King, Priest, Prophet. Positive Eschatological Protagonists of the Qumran Library* (Studies on the Texts of the Desert of Judah 47; Leiden/Boston: Brill, 2003), 22-28. In his study on eschatological protagonists of the Qumran library Xeravits does not treat 1QSa 1:6-2:11a as an eschatological document.

## EXCLUSION FROM THE HOLY COUNCIL (1QSa 1:25-2:11)

the congregation of Israel in the final days.” The second introductory formula in 1QSa 1:6 reads: וזה הסרך לכול צבאות העדה לכול האזרה בישראל, “And this is the rule for all the armies of the congregation, for all native Israelites.”

The introduction seems to depict a different community than the one addressed in the following section. Charlotte Hempel pointed at the resemblances between the expressions used in 1QSa 1:1-3 and the vocabulary of the *Rule of the Community*, especially that of 1QS 5:1-3a and 5:8b-10a.<sup>50</sup> This section is an example of a recension of the *Rule of the Community*, in which the sons of Zadok have great authority.<sup>51</sup> The relationship between 1QSa 1:1-3 and 1QS 5:1-3a and 5:8b-10a becomes apparent in the parallel wordings about the sons of Zadok in 1QSa, which are underlined below:

1QSa 1:1-3<sup>52</sup>

(1) וזה הסרך לכול עדת ישראל באחרית הימים בה(א)ספם] ליחד להתה[לך (2) על פי משפט בני צדוק הכהנים ואנשי בריתם אשר סר[ו מלכת ב]דרך (3) העם המה אנשי עצתי אשר שמרו בריתו בתוך רשעה לכפ[ר בעד הארץ

“(1) And this is the rule of all the congregation of Israel in the final days, when they gather [in the community to walk (2) in accordance with the regulation of the sons of Zadok, the priests, and the men of their covenant who have turn[ed away from the] path (3) of the nation. These are the men of his council who have kept his covenant in the midst of wickedness to atone for the ear[th].”

## 1QS 5:1-3a

(1) וזה הסרך לאנשי היחד המתנדבים לשוב מכול רע ולהחזיק בכול אשר צוה לרצונו להבדל מעדת (2) אנשי העול להיות ליחד בתורה ובהון ומשובים על פי בני צדוק הכהנים שומרי הברית על פי רוב אנשי (3a) היחד המחזקים בברית

<sup>50</sup> Hempel, “Earthly Essene Nucleus,” 256-259.

<sup>51</sup> Geza Vermes, “The Leadership of the Qumran Community: Sons of Zadok – Priests – Congregation,” in: Hubert Cancik *et al.* (eds.), *Geschichte – Tradition – Reflexion. Festschrift für Martin Hengel zum 70. Geburtstag* (Band I: Judentum/ hrsg. von Peter Schäfer; Tübingen: Mohr, 1996), 375-384; Hempel, “Earthly Essene Nucleus,” 257.

<sup>52</sup> Text and translation are taken from: García Martínez and Tigchelaar, *DSSSE I. For 1QSa 1:1-3*, see 100-101; for 1QS 5:1-3, see 78-79; for 1QS 5:8b-10, see 80-81.

“(1)This is the rule for the men of the Community who freely volunteer to convert from all evil and to keep themselves steadfast in all he commanded in compliance with his will. They should keep apart from the congregation of (2) the men of injustice in order to constitute a Community in law and possessions, and acquiesce to the authority of the sons of Zadok, the priests who safeguard the covenant/and/ to the authority of the multitude of the men of (3a) the Community, those who persevere steadfastly in the covenant.”

#### 1QS 5:8b-10a

(8b) ויקם על נפשו בשבועת אסר לשוב אל תורת מושה ככול אשר צוה בכול (9) לב ובכול נפש לכול הנגלה ממנה לבני צדוק הכהנים שומרי הברית ודורשי רצונו ולרוב אנשי בריתם (10a) המתנדבים יחד לאמתו ולהתלך ברצונו

“(8b) He shall swear with a binding oath to revert to the Law of Moses, according to all that he commanded, with whole (9) heart and whole soul, in compliance with all that has been revealed of it to the sons of Zadok, the priests who keep the covenant and interpret his will and to the multitude of the men of their covenant (10a) who freely volunteer together for this truth and to walk according to his will.”

It is likely that the terminology in 1QSa 1:1-3 goes back to the same tradition as the vocabulary used in 1QS 5. In its present form, the introduction in 1QSa 1:1-5 serves as a framework for the central part of the rule. The introduction is not the only place in the rule that underwent a redaction in favour of Zadokite authority. Traces of the “sons of Zadok” tradition can also be detected in the central part of the rule, especially in 1QSa 1:24 and 2:3.<sup>53</sup>

After the first introduction in 1QSa 1:1, 1QSa 1:6 starts with a new opening formula: לזה הסרך לכול צבאות העדה לכול האזרח בישראל: “and this is the rule for all the armies of the congregation, for all native Israelites.” The formula introduces the following section (1QSa 1:6-2:11), which contains rulings for the earthly community. The section consists of three smaller units. The first unit discusses the stages in the life of a sectarian and describes the duties and offices for each member of the community that go with his age and capacities. The office of the Levites is the subject of the second unit. Their specific role in the community is “to make the entire

<sup>53</sup> Hempel, “Earthly Essene Nucleus,” 259-260.

## EXCLUSION FROM THE HOLY COUNCIL (1QSa 1:25-2:11)

congregation come in and go out” (1QSa 1:23), but it must be admitted that it is uncertain what this duty exactly meant.<sup>54</sup> The third unit describes the convocation of an assembly (1QSa 1:25-2:11) and can be divided into four sub-sections: A) 1QSa 1:25-27 explains the functions of the assembly and requires all participants to be ritually clean as preparation for the assembly. B) The unit continues with a list of the men invited to the council of the community (1QSa 1:27-2:3). C) This list is followed by a catalogue of persons who are disqualified: persons with impurities, with physical deformities and persons who are advanced in age (1QSa 2:3-9). D) The end of the unit contains a rule that a person who has something to say to the congregation but who is not allowed to enter can be questioned in private to express his case (1QSa 2:9-11).

The epilogue of the rule consists of rulings for a banquet at which the Messiah may be present. The end of the *Rule of the Congregation* consists of three sections. The first concerns two important elements of the communal meal are carried out in their correct order. A) The first concern expressed in 1QSa 2:11-17 is the sitting order, B) the second concern expressed in 1QSa 2:17-21 applies to the order of blessings. C) The last two lines of the rule (1QSa 2:21-22) stresses the importance of following the correct order in assemblies where at least ten men are present.<sup>55</sup>

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<sup>54</sup> See Schiffman, *Eschatological Community*, 28-29.

<sup>55</sup> According to Stegemann (“Some Remarks,” 490) this is a very good indication that the last section of the *Rule of the Congregation* (1QSa) is describing only one special meal.



The structure of the *Rule of the Congregation* (1QSa) can be outlined as follows:

<b>The Rule of the Congregation (1QSa)</b>	
<b>1) 1:1-5</b>	<b>Introduction</b>
<b>2) 1:6-2: 11</b>	<b>Rulings for the Community</b>
	a) 1:6-22 <i>Stages of Life and Offices in the Congregation</i> i 1:6-8 The age of ten ii 1:9-11 The age of twenty iii 1:12-13 The age of twenty-five iv 1:14-18 The age of thirty v 1:19 The aged vi 1:19-22 The simpleton b) 1:22-25 <i>The Office of the Levites</i> c) 1:25-2:11 <i>The Convocation of an Assembly</i> i 1:25-27 Functions of an Assembly ii 1:27-2:3 Persons qualified to participate in the Assembly iii 2:3-9 Persons disqualified to participate in the Assembly iv 2:9-11 Disqualified person's right to raise his voice for the Assembly
<b>3) 2:11-22</b>	<b>The Communal Meal</b>
	a) 2:11-17 <i>Rulings for the Correct Order of Sitting</i> b) 2:17-21 <i>Rulings for the Correct Order of Blessings</i> c) 2:21-22 <i>Importance of Following the Correct Order</i>

## 2.5 The Convocation of an Assembly

The *Rule of the Congregation* contains, in its central part, a section that is devoted to the correct execution of assemblies. As was already discussed above, the description of the assembly refers to the present time in which the members of the Qumran community were living. Therefore it may be assumed that the rulings were actually carried out. An interesting feature of the convocation rulings is that certain groups of persons are unequivocally invited to join the assembly, while other groups are explicitly denied access to the gathering. One of these groups consists of persons who suffer from physical disabilities.

## EXCLUSION FROM THE HOLY COUNCIL (1QSa 1:25-2:11)

This paragraph firstly presents the reconstructed text of 1QSa 1:25-2:11 and its translation, which contains the description of the convocation of an assembly. 1QSa 2:3-11 is of special importance, because this section contains a list of disabled persons that are disqualified from participating in the assembly. The text also provides the rationale for the exclusion: holy angels are present, and this seems contradictory to the presence of persons with a physical disability. After the presentation of the reconstructed text and its translation, a detailed discussion of important elements in the text follows.

**2.5.1 Reconstructed Text**

The text of 1QSa 1:25-2:11 is relatively well preserved, although it is not without lacunae. Photographs of the document show a large dark spot at the left side of column ii. This column also has two large holes starting from line 8 to the bottom of the sheet. This makes it impossible to read some of the words and characters.<sup>56</sup>

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<sup>56</sup> See DJD 1, Plate XXIII, XXIV and PAM 40.062; 40.549; 40.551; 40.552; 41.717; 42.459; 42.926.

## 1QSa i

25	vacat (...) ואם תעודה תהיה לכול הקהל למשפט או
26	לעצת יחד או לתעודת מלחמה וקדשום שלושת ימים להיות כול הבא
27	עת[יד לע]צה אלה הנשים הנקראים לעצת היחד מבן עש vacat כול
28	ח[כמי] העדה והנבונים והידעים תמימי הדרך ואנושי החיל עם
29	[שרי השב]טים וכול שופטיהם ושופטיהם ושרי האלפים ושרי[המאות]
	<i>bottom margin</i>

## 1QSa ii

*top margin*

1	ולחמשים ולעשרות והלויים בתו[ך מחלקת עבו]דתו – אלה
2	אנושי השם קוראי מועד הנועדים לע[צת היח]ד בישראל
3	לפני בני צדוק הכהנים וכול איש מנוגע [באחת מכו]ל טמאו <sup>ת</sup>
4	האדם אל יבוא בקהל אלה וכול איש מנוגע ב[אלה לבלתי]
5	החזיק מעמד בתוך העדה וכול מנוגע בבשרו נכא[ה רגלים] או
6	ידיים פסח או עור או חרש או אלם או מום מנוגע [בבשרו]
7	לראות עינים או איש זקן כושל לבלתי התחזק בתוך העדה
8	אל יב[ואו] אלה להתיצב [ב]תוך עדת א[נ]ושי השם כיא מלאכי
9	קודש [בעצ]תם ואם יש דב[ר לאחד מ]אלה לדבר אל עצת הקודש
10	[ו]דורש[והו] מפיהו ואל תוך [העדה לו]א יבוא האיש כיא מ[נוגע]
11	ה[וא] (...)

## 2.5.2 Translation

## 1QSa i

25	(...) Blank And if there is a convocation for the entire assembly for judgment or
26	for the council of the community or for a convocation of war, they shall sanctify
	themselves during three days so that everyone who enters is
27	pre[pared for the cou]ncil. These are the men who are called for the council of
	the community from ...Blank all
28	the w[ise men] of the congregation, those who have understanding, and those
	who are perfectly skilled in behavior, and the noble men with
29	[the leaders of the tri]bes and all their judges and their officials and the leaders
	of thousands and the leaders[ of hundreds,]

*bottom margin*

## EXCLUSION FROM THE HOLY COUNCIL (1QSa 1:25-2:11)

*top margin*

- 1 And over fifties and over tens, and the Levites in the mid[st of his division of servi]ce.  
These are
- 2 the renowned men, called to the assembly, gathered for the cou[ncil of the communi]ty  
in Israel
- 3 in the presence of the sons of Zadok, the priests. But every man who is afflicted [with  
any on]e of the human impurities
- 4 may not enter into the assembly of God. And every man who is afflicted with [these  
may not]
- 5 take his stand in his office in the congregation. And every one who is afflic[ed in his  
flesh, lam]e in his legs] or
- 6 arms, limping, or blind or deaf or dumb or afflicted with a blemish [in his flesh]  
7 visible to the eyes, or a stumbling old man who does not stand firm in the assembly
- 8 these may not en[ter] to take their place [in] the midst of the congregation of the m[e]n  
of the name, because the angels
- 9 of holiness are in their [cou]ncil. And if there is someth[ing for someone of] them to say  
to the holy council,
- 10 they will ask [him], but the man may n[ot] enter into [the assembly] for af[flicted is]  
11 h]e (...)

**2.5.3 Comments**

1QSa 1:25-2:11 describes the rules for the convocation of an assembly. 1QSa 1:25f. provides three grounds on which to gather for an assembly: 1) for judgment, 2) for the council of the community and 3) for a convocation of war. Every person called to the assembly (1QSa 1:27-2:3 contains a list of persons invited) is required to perform purification rituals during three days (1QSa 26) as a preparation to the council (1QSa 1:27). Yet, there are certain groups of persons not invited to the assembly: persons suffering from impurities (1QSa 2:3-5), persons with physical deformities (1QSa 2:5-7) and aged persons (1QSa 2:7). The disqualified persons may, however, take a deposition to make their case in the council (1QSa 2:9-11).

Because 1QSa 1:25-2:11 contain grammatical, semantical and textual problems, each element that needs explanation is discussed below.

*Column i*

## L. 25 תעודה

According to Charlesworth the ה here appears as the result of a correction. The nuances and meanings of the word are much wider in Qumranic Hebrew than in Biblical Hebrew.<sup>57</sup> A rendering as “convocation” fits best as a distinction from עדת, “congregation,” and קהל, “assembly.”

The convocation of an assembly is needed for three things: judgment (משפט), the council of the community (עצת היחד), and a convocation of war (תעודת מלחמה). The assembly called together for judgment was probably similar in character as the מושב הרבים, “the session of the Many,” in 1QS 6:8-13.<sup>58</sup> From its place between משפט and תעודת מלחמה it can be concluded that the functions of the עצת היחד were not judicial or military. Therefore, it is likely that the council of the community regulated daily matters and exegetical activities in the community. Schiffman suggest three possible functions of the עצת היחד: 1) supervising exegetical activities and codification of the laws of the community, 2) controlling the community’s organization and structure, and 3) deciding over the status of community members.<sup>59</sup> The interpretation of the third function of the assembly (convocation of war) causes some difficulties. It is fair to suppose that to regulate daily life in the Qumran Community at certain points in time, judgment or decisions about the internal organization of the community were necessary. War, however, seems to have absolutely nothing to do with the kind of society which was established in Qumran. The only situation in which deciding over war could make sense is at the dawning of the Messianic Age. Indeed, it was believed that at the end of time an eschatological battle was at hand.<sup>60</sup> Is it, then, correct to assume that the assembly spoken of in 1QSa 1:25-2:11 is taking place at the very onset of the Messianic Age?<sup>61</sup> This question is discussed again below, when the character of the assembly is studied in more detail.

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<sup>57</sup> Qimron, *HDSS*, 115.

<sup>58</sup> Schiffman, *Eschatological Community*, 31.

<sup>59</sup> Schiffman, *Eschatological Community*, 31.

<sup>60</sup> The events of this battle are described in the *War Scroll*.

<sup>61</sup> See Schiffman, *Eschatological Community*, 31.

## L. 26 לעצת יחד

García Martínez and Tigchelaar have לעצת in their edition of the text, but this is probably a mistake in printing.<sup>62</sup> The photograph also shows a clear ת as the final consonant of the word. A similar case where García Martínez and Tigchelaar have ה instead of ת can be found in L. 8 of column II with the word עדת.

The words עצת יחד (also in 1:27) are frequently used by the author of 1QS and also appear in 1QHab 12:4. However, in the case of the two latter documents the words seem to denote the Council as organism. In 1QSa it refers instead to the actual gathering of people for a deliberation. The subject of this verb is not the Levites since their mentioning is too remote to be valid. It is more likely that this is an impersonal plural.<sup>63</sup>

## L. 27 ע[תיד לע]צה

Licht reconstructs עתוד, “leader” for ]עת[.<sup>64</sup> The following characters, צה[ , are reconstructed as להנה by Barthélemy, Boccaccio, and Lohse.<sup>65</sup> According to Barthélemy it is obvious that the last visible consonant is a ך, which is preceded by a letter of which the remains may be discerned at the lower side of the line. He rejects the possibility to read a צ instead, for he thinks that the branch of the right of a צ would start at a higher point. He also believes that in the case of a צ, there would be a bulge along the upper side of the principal jamb. Although the level of the consonant preceding the ך is most appropriate for a ך, ע, or ן this would not provide an accurate interpretation. Therefore, Barthélemy prefers to read a ה, even if the level is too low. Because the adverbial meaning of להנה, “here, hither” is only well attested in biblical literature, Barthélemy suggests to choose for the personal pronoun feminine plural with neutral value: “The events in question.”<sup>66</sup> The scribe of 1QSa, however, does not show a uniform way of writing and a comparison of a combination of the consonants ה and צ, and צ and ע in the near context of this lacuna reveals that Barthélemy’s rejection of reading a צ cannot hold.

<sup>62</sup> García Martínez and Tigchelaar, *DSSSE*, 102.

<sup>63</sup> See DJD 1, 116.

<sup>64</sup> Licht, *The Rule Scroll*, 263.

<sup>65</sup> DJD 1, 110; Boccaccio, *Regula Congregationis*, 3; Lohse, *Die Texte*, 48.

<sup>66</sup> DJD 1, 116.

Indeed, a reconstruction of לעצה seems more in line with the context.<sup>67</sup> Yet, the problem appears that the final ה does not fit in a construct state where a final ה is expected.

#### L. 27 אלה הנשים הנקראים

Elision of א, especially after ה.<sup>68</sup> Barthélemy suggests to translate נקראים as “the assembled,” a rendering that hardly appears until the Book of Esther.<sup>69</sup>

#### L. 27 מבן עש

In some cases, for example here, in 1:12 and probably in 1:8, the scribe of 1QSa is unable to interpret his *Vorlage(n)* and terminates a phrase which must then remain in suspense. The termination is visible as a blank on the manuscript.<sup>70</sup> Boccaccio reconstructs עשרים שנה and Lohse also has עשרים. Charlesworth regards the words מבן עש as a scribal error and suggests that the scribe could have had 1:8 in mind, which reads [ובן] עשרים שנה [ה יעבר] “at the a[ge] of twenty ye[ars], he will transfer[.]”

#### L. 28 ואנשי החיל

The אנשי החיל almost always denote brave warriors in biblical literature. Barthélemy points at the shift in meaning the words seemed to make in earlier literature (Qoh 12:3) where they seem to have the more figurative meaning of “strong men” without any connotation of war. Here, the contexts also seem to favour a broader interpretation, when the אנשי החיל are enumerated between the wise men and the chiefs.<sup>71</sup> Note also the form אנשי instead of אנשי, which is an irregular plural under Aramaic influence. See also 2:1.8.<sup>72</sup>

#### L. 29 ושרי המאות

Licht and Charlesworth reconstruct ושרים. Grammatically an absolute state is correctly reconstructed in combination with the following למאות. This form is probably reconstructed on the basis of the words ולחמשים and לעשרות in

<sup>67</sup> See García Martínez and Tigchelaar, *DSSSE* I, 102; Licht, *The Rule Scroll*, 263; Charlesworth, *PTSDSSP* 1, 114.

<sup>68</sup> See DJD 1, 109; Tigchelaar (2003, 445).

<sup>69</sup> DJD 1, 116.

<sup>70</sup> See DJD 1, 116.

<sup>71</sup> See also Boccaccio, *Regula Congregationis*, 3.

<sup>72</sup> Tigchelaar, “Scribe of 1QS,” 446.

L. 1 of column ii, but there is no other evidence in biblical or Qumranic literature of a combination of שרים and ל. Therefore, it is more likely to reconstruct שרי מאות, which occurs in Exod 18:21.25; Deut 1:15; 1 Sam 22:7; 2 Sam 18:1 or שרת המאות, which is attested in Num 31:14.48.52.54; 1 Chron 13:1; 26:26; 27:1; 28:1; 29:6; 2 Chron 1:2; 25:5. Since in enumerations the words שרי האלפים ושרי המאות appear very frequently together, and the lacuna is preceded by שרי האלפים instead of שרי אלפים, the reconstruction שרי המאות is the most likely. Another problem is that there does not seem to be enough space for five from the beginning of the lacuna towards the left margin. Yet, on the photograph of the manuscript it can be observed that towards the end of the line the writing sometimes becomes denser and the characters become smaller. Clear examples of this circumstance in the same column can be seen in 1QSa 1:22 and 1QSa 1:24 where the words דמעמבו and הכוהנים respectively take up little space.

#### *Column ii*

##### L.1 והלויים בתו[ן] מחלקת עבו[ד]תו

The fact that the Levites appear at the end of the enumeration could point to the circumstance that they were the less important of the enumerated groups.<sup>73</sup> Barthélemy proposes to insert איש after והלויים to explain the singular suffix.<sup>74</sup> This suggestion must be rejected because the text on the manuscript at this point is very well preserved and clearly does not contain the word איש.

##### L. 2 קוראי

Barthélemy, Boccaccio and Lohse read קיראי. The ו and the י are in some cases hard to distinguish on the original manuscript and are also used arbitrarily.<sup>75</sup> In the case of a variation between קוראי and קיראי there are no consequences with regard to the interpretation of the text.

##### L.3-4 וכול איש מנוגע [באחת מכו]ל טמאוי האדם

The ו in וכול is a ו-adversative, which is used to express the beginning of a contrasting category.<sup>76</sup> מנוגע is Mishnaic vocabulary. The biblical equivalent of this word is נגוע.<sup>77</sup>

<sup>73</sup> DJD 1, 109.

<sup>74</sup> DJD 1, 109.

<sup>75</sup> DJD 1, 109.

<sup>76</sup> Charlesworth, PTSDSSP 1, 115



The verb נגע appears only in Psalm 73:5 in the *pu'al* in the Hebrew Bible, and can be translated with “to be afflicted.” 1QSa 2:3 however, seems to have been influenced by Leviticus 5:3, which has a *qal*. For this reason, Schiffman suggests that מנוגע could also be rendered as “who has come into contact with...,” although he himself translates “who is afflicted.”<sup>78</sup>

The prohibition on “human impurities” (טמאות האדם) is probably derived from Leviticus 5:3 and 7:21 which contain the singular טמאת האדם. Lev 5:3 speaks of a variety of impurities, for example, impurity caused by bodily fluids or contact with the dead.<sup>79</sup> The use of the plural in 1QSa 2:3 may be caused by the concern of the author of 1QSa to forbid every kind of impurity. This concern is also expressed because a person afflicted with *any one* of the human impurities (מנוגע באחת מכול טמאות האדם) is disqualified from attending the assembly.

Although there is no similarity in vocabulary, the words טמאות האדם may simultaneously be based on Lev 21:11-15. This section, preceding the list of deformities disqualifying priests from officiating in the temple (Lev 21:16-24), deals with polluting situations priests have to avoid at all costs. Different kinds of impurities are mentioned: Impurity attained in the mourning process, and a variety of sexual impurities.

#### L. 4 אל יבוא בקהל אלה

The form אלה causes some difficulties here. It is most likely that the text is based on Deut 23:2, which reads:

לא יבא ... בקהל יהוה

“He may not enter ... into the assembly of the Lord.”

It is likely that 1QSa replaced the word יהוה, “Lord,” by the word אל, “God.”<sup>80</sup> Somehow a ה was connected to this word, perhaps because the scribe erroneously added a ה since the word אלה appears frequently in the rest of the manuscript. (for example, at the end of this line and earlier in 2:1). The ה could also represent an Aramaic rendering of the divine name.<sup>81</sup> Barthélemy regards the latter option less probable.<sup>82</sup> García Martínez and

<sup>77</sup> DJD 1, 109.

<sup>78</sup> Schiffman, 1985, 386.

<sup>79</sup> See Schiffman, 1985, 374.

<sup>80</sup> DJD 1, 109; Boccaccio, *Regula Congregationis*, 3; Charlesworth, PTSDSSP 1, 114-115.

<sup>81</sup> Charlesworth, PTSDSSP 1, 114; Tigchelaar, “Scribe of 1QS,” 447

<sup>82</sup> DJD 1, 109.

## EXCLUSION FROM THE HOLY COUNCIL (1QSa 1:25-2:11)

Tigchelaar and Schiffman hold on to the form written in the scroll and translate “these.”<sup>83</sup>

## L. 5 וכול מנוגע בבשרו

The following passage on persons who are disqualified from attending the assembly relies heavily on Lev 21:16-24. Yet, the two lists of deformities are not identical.

## L. 5 נכא [ה רגלים]

Lohse proposes to read נכא instead of נכאה.<sup>84</sup>

## L. 6 עור

Because the exclusion in 1QSa is restricted to physical inability, it is clear that 1QSa 2:6 does not include a connotation of mindlessness in the term עור, “blind.”<sup>85</sup> The term “blind” also includes a person who is blind only in one eye.<sup>86</sup>

## L. 6 חרש או אלם

The fact that a person with a hearing disability (חרש) and a person who cannot speak (אלם) are mentioned separately in 1QSa 2:6 implies that the author(s) regarded someone deaf even if he could speak, and that a person who could not speak but was able to hear was also regarded as a mute individual.<sup>87</sup>

## L. 6-7 מום מנוגע [בבשרו] לראות עינים

The adjective מנוגע appears five times in the *Rule of the Congregation* (1QSa). In 1QSa 2:3 it is used to denote the human impurities (מנוגע באהת). 1QSa 2:4 contains a heading of the list of deformities (מכול טומאות האדם).

<sup>83</sup> García Martínez and Tigchelaar, *DSSSE I*, 102-103; Schiffman, “Purity and Perfection: Exclusion from the Council of the Community in the Serekh Ha-‘Edah,” in: J. Amitai (ed.), *Biblical Archaeology Today: Proceedings of the International Congress on Biblical Archaeology, Jerusalem, April 1984* (Jerusalem: Israel Exploration Society, The Israel Academy of Sciences and Humanities, in cooperation with the American Schools of Oriental Research, 1985), 373 and 386.

<sup>84</sup> Lohse, *Die Texte*, 48

<sup>85</sup> Shemesh, “‘The Holy Angels are in Their Council’: The Exclusion of Deformed Persons from Holy Places in Qumranic and Rabbinic Literature,” *DSD* 4.2 (1997), 197.

<sup>86</sup> Shemesh, “The Holy Angels,” 197.

<sup>87</sup> Shemesh, “The Holy Angels,” 197.

excluding those afflicted from the assembly ( וכול איש מנוגע באלה לבלתי ) (החזיק מעמד בתוך העדה). This list begins with the phrase: וכול מנוגע בבשרו (1QSa 2:5f.). The fourth occurrence of the word can be found in 1QSa 2:6f. within the list of deformities (או מום מנוגע בבשרו לראות עינים). In 1QSa 2:10 מנוגע can be found for the last time to explain the necessity for afflicted persons to take a deposition (כיא מנוגע הוא). The interpretation of the phrase in which מנוגע occurs for the fourth time causes some difficulties, since it is hard to understand what is exactly meant by the fact that someone is afflicted with “a blemish in his flesh visible to the eyes.” There are two possible interpretations. Schiffman holds that a blemish that is visible to the eyes is a temporary blemish, a temporary state of impurity. Yet, this interpretation is difficult to sustain, since it is not clear how a temporary cleanness could be visible.<sup>88</sup> Moreover, the idea that physically deformed priests were regarded as unclean cannot be maintained. Shemesh offers an alternative interpretation on the basis of Sifra Emor 3:1-2. The blemishes enumerated in this Sifra refer to visible blemishes, not to blemishes that prevent a priest from moving, hearing or seeing and the blemishes have nothing to do with ritual impurities. The exclusion of the enumerated persons was for aesthetic reasons and 1QSa 2:6f. can equally be interpreted.<sup>89</sup>

#### L. 7 איש זקן כושל לבלתי התחזק בתוך העדה 7

Some scholars interpreted the occurrence of a זקן in the list of deformities as referring to a senile, a person with lack of understanding.<sup>90</sup> The adjective כושל, however, used in 1QSa 2:7 shows that the rationale for excluding a זקן is not based on the fear of lack of understanding, but on the old man's physical appearance, since corporal weakness and disability are regarded as a deformity by the Qumran community.<sup>91</sup> 1QSa seems only to exclude persons with physical shortcomings and makes no mention of mentally disabled persons.<sup>92</sup>

<sup>88</sup> Imagine for example the case of a temporary state of impurity caused by, e.g., a contact with a dead person. It is hard to understand how this impurity could be “visible to the eyes.”

<sup>89</sup> Shemesh, “The Holy Angels,” 187, 196.

<sup>90</sup> See Qimron and Strugnell, *Miqsat Ma'ase ha Torah*, (Qumran Cave 4, V; DJD 10; Oxford: Clarendon Press, 1994), 146.

<sup>91</sup> See Shemesh, “The Holy Angels,” 196.

<sup>92</sup> This is also observed by Shemesh, “The Holy Angels,” 197.

L. 8-9 כיא מלאכי קודש [בעצ]תם

García Martínez and Tigchelaar reconstruct בעדתם and Licht and Charlesworth reconstruct בעצתם.<sup>93</sup> Both reconstructions are possible, although Hempel thinks the latter option is illogical, because in 2:10 עדה is reconstructed.<sup>94</sup> To solve this problem it might be necessary to study whether יחד is ever used without עצה.

Charlesworth believes that the reference to the Holy Angels is based upon the feeling of the Qumranites that heaven was already on earth.<sup>95</sup> According to Charlesworth 1QSa displays an interesting feature of Qumran theology. The Community felt itself already living in the end-time, but the Messiah had not yet come. In this way the texts can be regarded as eschatological, but not as messianic. The community was living proleptically *as if* the Messiah had already come. The future age was experienced as present.<sup>96</sup> If the view of a community regarding itself as living on the verge of the end-time is correct, then this community could very well have been an existing community.<sup>97</sup>

The view that angelic presence is a ground for excluding impure, physically deformed and aged persons from the assembly, serves as evidence for Schiffman that 1QSa 1:25-2:11 must be placed in the messianic age. In this era, the two opposite realms of light and darkness, good and evil that exist in the world of the angels and the world below, are fighting against each other, whereby the earthly and the heavenly parties stand side by side in the great eschatological battle. This is the reason why angels could be present in the eschatological assembly.<sup>98</sup>

Schiffman's view holds that the presence of angels is not expected for the sect's present-day. Comparisons with biblical writings may provide a different picture. Shemesh, for example, states that the proximity of angels must be interpreted as divine presence itself.<sup>99</sup> He points at the fact that the use of the verb להתיצב in relation to an assembly is based on Psalm 82:1,

<sup>93</sup> García Martínez and Tigchelaar, *DSSSE* I, 102; Licht, *The Rule Scroll*, 263; Charlesworth, *PTSDSSP* 1, 116.

<sup>94</sup> Hempel, "Earthly Essene Nucleus," 269.

<sup>95</sup> Charlesworth, *PTSDSSP* 1, 108.

<sup>96</sup> Charlesworth, *PTSDSSP* 1, 108.

<sup>97</sup> This is also how Stegemann sees the community.

<sup>98</sup> See Schiffman, *Eschatological Community*, 50; see also J. Licht, "An Analysis of the Treatise of the Two Spirits in DSD," in: C. Rabin and Y. Yadin (eds.), *Aspects of the Dead Sea Scrolls* (ScrHier 4; Jerusalem: Magnes Press, 1958).

<sup>99</sup> Shemesh, "The Holy Angels," 194, 201.

which says that “God has taken his place in the divine council; in the midst of the gods he holds judgment.” It is the presence of God himself that prohibits these classes of people to take their stand in the congregation. Shemesh refers to Num 11:16, Deut 31:14 and Josh 24:1 where verb להתיצב can also be interpreted as standing before God.<sup>100</sup> In summation, the presence of deformed persons in the council of the community is regarded as antithetical to divine presence.

L. 10 [ו]דורש[והו]

García Martínez and Tigchelaar also reconstruct ודורשוהו and Charlesworth and Licht ודורשיהו.<sup>101</sup> Barthélemy is ambivalent, for he has edited the text with ודורשוהו, but he comments on it as ידורשוהו, the latter which Boccaccio and Lohse also read.<sup>102</sup> The explanation for these differences in reading is the fact that it is possible to read the first character as either a ו or as a י. When read with a ו, the verb must be interpreted as a perfect. Written with a first letter י, the verb is an imperfect form. The choice for the sixth character as ו or י also effects the grammatical interpretation of the word. When a ו is read as sixth character, the verb is in plural and when a י is read, the verb must be interpreted as singular. Due to the damaged leather, it is impossible to say which reading is the most likely. This study chose to reconstruct ודורשוהו because this reading fits well within the context.

L. 10 ואל תוך העדה לוא יבוא האיש

Barthélemy reads לא. Because the scribe wrote irregularly with intervals varying in length, it is hard to say whether there was enough space to include a ו or not.<sup>103</sup>

## 2.6 Exclusion from the Holy Council and the Presence of Angels

From the preceding analysis it follows, that the list of people who are disqualified from participating in the assembly, relied heavily on the list of

<sup>100</sup> Shemesh, “The Holy Angels,” 195.

<sup>101</sup> García Martínez and Tigchelaar, *DSSSE I*, 102; Licht, *The Rule Scroll*, 263; Charlesworth, *PTSDSSP I*, 116.

<sup>102</sup> DJD 1, 109; Boccaccio, *Regula Congregationis*, 3; Lohse, *Die Texte*, 48.

<sup>103</sup> DJD 1, 109.

disqualified priests in Lev 21:16-24.<sup>104</sup> There are also other indications in the text of 1QSa 1:25-2:11 that indicate that Leviticus 21 functioned as an important source for the author of this passage in the *Rule of the Congregation* (1QSa). In the following, it is shown that the rationale for excluding certain groups of persons from the assembly – the presence of Holy Angels – and the deposition that is possible for the excluded persons, were inspired by the wordings of Leviticus 21.

Before addressing these matters, this paragraph discusses the character of the assembly and the impact on the social participation of persons who are excluded from this assembly.

### 2.6.1 The Character of the Assembly

The assembly bears diverse names. It is called “assembly of God” in 1QSa 2:4, and “the congregation” in 1QSa 2:5

According to Schiffman the assembly described in 1QSa 1:25-2:11 takes place in the eschatological era.<sup>105</sup> Yet, there are significant resemblances between the eschatological assembly described here and assemblies in the sect’s present time. Schiffman states that characteristics of the messianic age could be applied to the present of the sect since its members attempted to live as if the messianic age had already been realized. Consequently, the *Rule of the Congregation* (1QSa) could be used to determine present-day practice by mirroring of the future. When this idea is applied to the exclusion of persons from the assembly this would mean that both in the eschatological and present time the same classes of persons were excluded.<sup>106</sup>

1QSa 1:1, 4-5 speak of a future assembly of all Israel, including women and children. This assembly follows the biblical model of assembly which can be found in Deut 31:12. The assembly described in 1QSa 1:25-2:11 appears to be an assembly of the inner circle, in which women, children and impure, deformed and aged persons have no place. Shemesh, referring to Deut 31:9-13, contrasts the phrase “appear before the Lord” with the act of

<sup>104</sup> The lists in Leviticus 21:18-20 and 1QSa 2:5-7 are not identical, but the correspondences are striking. Both lists disqualify persons with physical blemishes and they both mention blindness, lameness, and skin ailments as examples of these blemishes.

<sup>105</sup> Schiffman, “Purity and Perfection,” 373.379

<sup>106</sup> See Schiffman, *Eschatological Community*, 35f.

an “assembly.” The assembly described in 1QSa 1:1, 4-5 would apply to the assembly called together in Deut 31:12. The assembly of the inner council can be paralleled with the commandment of pilgrimage in Deut 31:11, for which only men were invited.<sup>107</sup> Shemesh concludes that the Qumranic halakha is based on a dual paradigm, that of assembly and pilgrimage.<sup>108</sup>

In sum, it can be concluded that persons with physical deformities are not regarded as unclean, but their role is equal to persons who suffer from human impurities.<sup>109</sup> The reason for their exclusion is the presence of angels. Divine presence is antithetical to impurity and deformity. However, the fact that a deformed person can take a deposition makes clear that membership of the community was still a possibility and that the community did not rule out their interests.

The possibility of taking a deposition may be paralleled to the explicit remark in Lev 21: 22 that a priest with a physical blemish who is excluded from performing the sacrificial ritual may still eat of the holy and most holy food. The text states:

לחם אלהיו מקדשי הקדשים ומן־הקדשים יאכל

“He may eat the food of his God, of the most holy and of the holy.”

In the same way that a priest with a physical blemish who is excluded from offering may still be a part of the priestly class and is allowed to eat the food of his fellow-priests, is a person who is excluded from attending an assembly a member of the community and is allowed to make his case.

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<sup>107</sup> See Shemesh, “The Holy Angels,” 202. Although Shemesh seems to indicate that the text of Deut 31:11 contains reference to the fact that only males are invited, this is not the case. It can be derived, however, from parallel texts, e.g., Exod 23:17; 34:23; Deut 16:16.

<sup>108</sup> Shemesh, “The Holy Angels,” 202

<sup>109</sup> See Saul M. Olyan, “The Exegetical Dimensions of Restrictions on the Blind and the Lame in Texts from Qumran,” *DSD* 8.1 (2001), 50.

### 2.6.2 The Meaning of Angelic Presence<sup>110</sup>

The reference to angelic presence in 1QSa 2:8f. is interpreted in various ways. The first position is taken by Barthélemy who interprets the angelic presence as a mystical communion between the earthly Israel and the heavenly angels while the earthly and heavenly spheres remain separate from each other. This communion can take place in a mystical present and does not necessarily have to take place in the future. This idea is reflected more clearly in 1QSB 4:25f. from which follows that the earthly liturgy is enacted at the same time in the “Temple of the Kingdom.”<sup>111</sup> Shemesh seems to share this view, but points at the possibility of direct contact between angels and human beings reflected in several texts.<sup>112</sup> Shemesh further states that the proximity of angels, as in rabbinic law, must be interpreted as divine presence itself.<sup>113</sup> He holds that the hitpa’el of the verb צָבַח, “to take one’s stand” in relation to an assembly (1QSa 2:8) is based on Psalm 82:1, which says that “God has taken his place in the divine council; in the midst of the

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<sup>110</sup> On angelology in Qumran see: Y. Yadin (ed.), *The Scroll of the War of the Sons of Light against the Sons of Darkness* (trans. B. Rabin and C. Rabin; Oxford: Oxford University Press, 1962), 229-242; C. Newsom, *Songs of the Sabbath Sacrifice: A Critical Edition* (HSS 27; Atlanta: Scholars Press, 1985), 1-81; M.J. Davidson, *Angels at Qumran* (JSPSup 11; Sheffield: Sheffield Academic Press, 1992); Michael Mach, *Entwicklungsstadien des jüdischen Engelglaubens in vorrabbinischer Zeit* (Texte und Studien zum antiken Judentum 34; Tübingen: Mohr Siebeck, 1992), esp. 114-278; Deborah Dimant, “Men as Angels: The Self-Image of the Qumran Community,” in: Adele Berlin (ed.), *Religion and Politics in the Ancient Near East* (Bethesda, MD: University Press of Maryland, 1996), 93-103; Crispin H.T. Fletcher-Louis, “Heavenly Ascent or Incarnational Presence: a Revisionist Reading of the Songs of the Sabbath Sacrifice,” *Society of Biblical Literature Seminar Papers* 37,1 (1998), 367-399.; James H. Charlesworth and Carol A. Newsom (eds.), *The Dead Sea Scrolls: Hebrew, Aramaic, and Greek Texts with English Translations. Vol. 4B: Angelic Liturgy: Songs of the Sabbath Sacrifice* (Tübingen: Mohr Siebeck, 1999); Esther G. Chazon, “Liturgical Communion with the Angels at Qumran,” in: Daniel K. Falk, Florentino García Martínez and Eileen M. Schuller, *Sapiential, Liturgical and Poetical Texts from Qumran. Proceedings of the Third Meeting of the International Organization for Qumran Studies. Oslo 1998* (Leiden, Boston, Köln: Brill, 2000), 95-105; John J. Collins, “Powers in Heaven: God, Gods, and Angels in the Dead Sea Scrolls,” in John J. Collins and Robert A. Kugler (eds.), *Religion in the Dead Sea Scrolls* (Grand Rapids, Michigan / Cambridge, U.K.: William B. Eerdmans Publishing Company, 2000), 9-28; Crispin H.T. Fletcher-Louis, *All the Glory of Adam: Liturgical Anthropology in the Dead Sea Scrolls* (Studies on the Texts of the Desert of Judah 42; Leiden: Brill, 2002).

<sup>111</sup> DJD 1, 117.

<sup>112</sup> Shemesh, “The Holy Angels,” 194, n. 37.

<sup>113</sup> Shemesh, “The Holy Angels,” 194.



gods he holds judgment.” A connection between the hitpael of **יָצַב** and divine presence is also attested in Num 11:16, Deut 31:14 and Josh 24:1, where the verb can also be interpreted as “standing before God.” In Shemesh’s opinion it is because of the presence of God himself that 1QSa prohibits impure and physically deformed persons to take their stand in the congregation.<sup>114</sup>

Schiffman represents the second position that links the angelic presence to the eschatological future.<sup>115</sup> One of the convictions of the Qumran community was that heaven and earth both contained forces of good and forces of evil. At the end of times angels and humans belonging to either one of the camps would fight side by side to conquer their enemies. Thus, in the eschatological era heavenly and earthly domains would merge. For Schiffman, who holds that the entire *Rule of the Congregation* (1QSa) has an eschatological point of view, this is the reason why the members of the Qumran community believed that angels would be present at their assembly at the end of times. Charlesworth, Mach and Davidson agree with Schiffman that reference to the angels of holiness is related to the end time.<sup>116</sup> They think, however, that the community felt that they were already living in the end time and experienced heaven on earth, although the Messiah had not yet come. The future age that Schiffman believes 1QSa is referring to was, according to Charlesworth, already experienced as their present.

The notion of community with angels, which is also attested in several other Qumran writings, is closely associated with the strongly priestly orientated life style of the Qumran community.<sup>117</sup> Information about the angels of holiness, their organization and their residence can be found in several writings that were known to the Qumran community. The term **מַלְאָכִי קוֹדֵשׁ** (“angel(s) of holiness”) does not appear in biblical writings, but it is well attested in Qumran literature and related works.<sup>118</sup> The *Book of*

<sup>114</sup> Shemesh, “The Holy Angels,” 195.

<sup>115</sup> Schiffman, “Purity and Perfection, 383f.; Idem, *Eschatological Community*, 49-51.

<sup>116</sup> Davidson, *Angels at Qumran*, 278; Mach, *Entwicklungsstadien*, 122f.; Charlesworth, PTSDSSP 1, 108.

<sup>117</sup> Newsom, “Introduction,” in: James H. Charlesworth and Carol A. Newsom (eds.), *The Dead Sea Scrolls: Hebrew, Aramaic, and Greek Texts with English Translations. Volume 4B: Angelic Liturgy: Songs of the Sabbath Sacrifice* (PTSDSSP; Tübingen: Mohr Siebeck, 1999), 9.

<sup>118</sup> In biblical literature, angels are described 58 times as **מַלְאָךְ יְהוָה**, “angel of the Lord” (but never in plural!) and four times **מַלְאָכֵי אֱלֹהִים** (“angel(s) of God,” (Gen 28:12 and 32:2 plural; Gen 21:17 and 1 Sam 29:9 singular). A combination of the words **מַלְאָכֵי קוֹדֵשׁ** in Qumran literature can be found in: 1QSa 2:8f.; 1QSB 3:6; 1QM 7:6; 10:11; 1QH<sup>a</sup> 9:11; 4Q225 f2ii:5;

*Jubilees* provides an elaborate description of the creation of several groups of angels (*Jubilees* 2) whereby the “Angels of Presence” and the “Angels of Holiness” are enumerated first. These two groups of angels seem to be highest in rank and they are responsible for praising God and for his service in the heavenly sanctuary. The angels of presence and the angels of holiness have strong similarities with human beings, because the latter are expected to lead their lives in the same way and to obey similar commandments as the angels who reside in the heavenly sanctuary. *Jub* 15:27-28 even states that the angels were circumcised, which implies that they were created in a human male form.<sup>119</sup> The in 1985 first published *Rule of the Songs of Sabbath Sacrifice* (4Q400-407) describes the angelic liturgy and service in the heavenly temple.<sup>120</sup> The last five songs of the rule draw a picture of the temple’s structure and its inhabitants who are called מלאכים, “angels,” and רוחות, “spirits.” The angels who are occupied with the constant service to God are called כוהני קורבן, “priests of the inner sanctum” who are “servants of the Presence of the most holy king” (משרתי פני מלך קודש קודשים).<sup>121</sup>

The presence of angels in the assembly described in 1QSa 1:25-2:11 strengthens the idea that the self-description of the members of the Qumran community was, to an important extent, based upon the picture of the angelic priesthood in the heavenly sanctuary. Since the Qumranites strongly objected to the temple service in Jerusalem, the prototype of the ideal priesthood was to be found in heaven and not on earth. Not only did the Qumranites parallel their own liturgy and cult with those of the angels in heaven, but they also thought that the presence of the angels of holiness was possible in their community.<sup>122</sup> This is why 1QSa 2:8f. refers to the presence of the angels of holiness as the rationale for excluding unclean and physically deformed persons from the assembly.<sup>123</sup>

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4Q249g f3\_7:7f.; 4Q249h f1\_2:2f.; 4Q285 f8:4; f8:10; 4Q405 f19:7; f20ii\_22:9; f23i:8; 4Q407 f1:3; 4Q418 f55:8; 4Q491 f1\_3:10; 11Q14 f1ii:6; f1ii:14f.; 11Q17 6:7; 7:12; f37:1.

<sup>119</sup> See Dimant, “Men as Angels,” 99.

<sup>120</sup> Newsom, *Sabbath Sacrifice*.

<sup>121</sup> This task resembles the term “Angels of Presence” used in the *Book of Jubilees*. See also: Dimant, “Men as Angels,” 100.

<sup>122</sup> Shemesh, “The Holy Angels,” 194, n.37

<sup>123</sup> This, however, did not mean that they thought they were angels themselves. Cf. Crispin Fletcher-Louis, “Heavenly Ascent or Incarnational Presence? A Revisionist Reading of the Songs of the Sabbath Sacrifice,” *SBLSP* 37 (1998), 369f, 372.

### 2.6.3 Community with the Angels of Holiness in 1QSa 2:8f.

1QSa 2:8f. contains the rationale for the exclusion of persons with impurities or physical deformities from the congregation: **כִּי־מַלְאֲכֵי־קֹדֶשׁ בְּעִצָּתָם** (“because the angels of holiness are in their council”). The author of 1QSa most likely based his conviction that certain groups of persons had to be excluded from the assembly on biblical literature. Several attempts have been made by scholars to reveal this biblical background and it seems reasonable to assume that Deut 23:15 or Num 5:3b have influenced 1QSa 2:8f.<sup>124</sup> Deut 23:15 says that the camp must be holy and nothing unseemly should be found there because YHWH walks in the midst thereof.<sup>125</sup> This implies that a man who had a nocturnal emission is excluded from the camp (Deut 23:11-12) and that every person must go outside the camp to cover his excrement (Deut 23:13-14). Num 5:3b also refers to the presence of YHWH as a reason for the exclusion of unclean individuals.<sup>126</sup> Every person suffering from leprosy or from a discharge, and every one unclean through contact with the dead (Num 5:2) must be removed from the camp of YHWH to avoid its pollution. Although Deut 23:15 and Num 5:3b do not refer to the presence of angels as a reason for the exclusion of blemished individuals, they are similar to 1QSa 2:8f. on two points: all three texts speak of disqualifying persons because of divine presence. The two biblical texts discuss removal of unclean persons from the camp of YHWH and 1QSa speaks about the disqualification of physically deformed and unclean persons from the assembly.

There possibly exists a third text on which 1QSa 2:8f based its justification for disqualifying unclean and physically blemished persons. It was already discussed above that Lev 21:16-24 was used by the author of 1QSa to produce a list of disqualifying physical qualities. Yet, the reference to the presence of holy angels may also be influenced by this biblical text. Lev 21:23 says:

<sup>124</sup> See Olyan, “Exegetical Dimensions,” 43-46.

<sup>125</sup> Deut 23:15 **כִּי־יְהוָה אֱלֹהֶיךָ מֵתְהַלֵּךְ בְּקֶרֶב מַחֲנֶךָ לְהַצִּילְךָ וּלְתֵת אִיבֶיךָ לַפָּנִיךָ וְהָיָה מַחֲנֶיךָ קָדוֹשׁ** ולא־יִירָאָה בְּךָ עֲרוֹת דָּבָר וְשֵׁב מֵאַחֲרֶיךָ

<sup>126</sup> Num 5:3b: **וְלֹא יִטְמְאוּ אֶת־מַחֲנֵיהֶם אֲשֶׁר אֲנִי שֹׁכֵן בְּתוֹכָם**

## EXCLUSION FROM THE HOLY COUNCIL (1QSa 1:25-2:11)

23a	אך אל־הפרכת לא יבא	But he shall not enter before the veil
b	ואל־המזבח לא יגש	or draw near at the altar
c	כי־מום בו	For he has a blemish
d	ולא יחלל את־מקדשי	and he may not desecrate my sanctums.
e	כי אני יהוה מקדשם	(Thereby) I am YHWH who sanctifies them.

The interpretation of the word מקדשי (v. 23d) is the key identifying Lev 21:23 as a possible source for 1QSa 2:8f. Leviticus states that a person who has a blemish (Lev 21:23c) is excluded out of fear that he may יחלל יְהוָה. The MT reads מְקֹדְשֵׁי, “my sanctums” or “my sanctuaries,” but different readings and interpretations have been proposed.<sup>127</sup> The interpretation “my sanctuaries” is difficult because Leviticus presupposes one central temple in Jerusalem and in this context one does not expect a reference to other sanctuaries. Yet, it seems better to interpret מקדשי as “my sanctums,” but then it remains unclear what these exactly mean.<sup>128</sup> The LXX has a singular and probably had a different *Vorlage* since it has τὸ ἅγιον τοῦ θεοῦ αὐτοῦ, “the sanctuary of his God.”

The word מקדשי without Masoretic vocalization can be variously interpreted. It can be a singular of the plural form of the noun מְקֹדֶשׁ, “sanctuary/sanctum” with a suffix of the first person singular, the singular form probably cast in the LXX and the plural conveyed in the MT. It is, however, also possible to regard מקדשי as a plural participle pi’el or pu’al with a suffix of the first person singular of the verb קִדַּשׁ, “to sanctify,” reading מְקֹדְשֵׁי, “my sanctified ones” (pu’al) or מְקֹדְשֵׁי, “my sanctifying ones” (pi’el). A pi’el participle plural with a suffix is neither attested in biblical literature or in the Qumran scrolls. The pu’al participle is used five times to denote that someone or something belongs to YHWH. Twice it refers to objects (Ezra 3:5; 2Chr. 31:6) and three times it applies to people (Is. 13:3; Ezek. 48:11; 2Chr 26:18). 2Chr 26:18c says that the sons of Aaron are

<sup>127</sup> See the discussion of the phrase וְלֹא יַחֲלִל אֶת־מִקְדָּשִׁי in Lev 21:23 in chapter 1.2.3. The most likely interpretation of the word in the context of Leviticus 21 is “my sanctums.” When the word is vocalized differently, an alternative reading is possible. This is why the author of 1QSa could interpret reading מְקֹדְשֵׁי in Lev 21:23 as מְקֹדְשֵׁי, “my holy ones,” as is shown below.

<sup>128</sup> See Milgrom, *Leviticus 17-22. A New Translation With Commentary* (AB 3a; New York: Doubleday, 2000), 1832 for the various interpretations

sanctified to burn incense.<sup>129</sup> Ezek 48:11, speaking about the tribal portions, calls the priests “sanctified of the sons of Zadok” and adds that they kept the service of YHWH and did not go astray like the people of Israel and the Levites.<sup>130</sup> The pu’al participle plural with a suffix of the first person singular is used in Isaiah 13:3 where YHWH gathers his troops for battle. Among the ones gathered are YHWH’s “sanctified ones,” his “mighty men” and the “ones that are exultant in YHWH’s pride.”<sup>131</sup>

The reference in Is 13:3 is of special interest since it seems to refer to angels. Whereas 2Chr 26:18 and Ezek 48:11 clearly refer to priests, in Is 13:3 the term מְקֻדָּשִׁי applies to YHWH’s personal troops, most likely his angelic host. The author of 1QSa may have understood the word מְקֻדָּשִׁי in Lev 21:23 precisely in the same way as the word מְקֻדָּשִׁי appears in Is 13:3. In his opinion the term does not refer to a sanctuary or to sanctums, but to YHWH’s army of angels. With this interpretation of the word מְקֻדָּשִׁי in Lev 21:23 in mind, for the author of 1QSa the rationale behind excluding impure and physically deformed persons from either attending the sacrificial ritual or the assembly, is the same: holy angels are present and they cannot be desanctified.

The picture drawn above may seem complicated at first sight, but there are three points that sustain the idea that מְקֻדָּשִׁי in Lev 21:23 was interpreted as referring to angels by the author of 1QSa 2:8f. Firstly, it must be noted that the *War Scroll* (1QM 7:6) also excludes persons with disabilities from the eschatological war because of the holy angels. The context of Isaiah 13 fits very well with the preparation of the eschatological battle in the 1QM. Both texts deal with a battle consisting of an army of God chosen beings. For the author of 1QM the presence of YHWH’s sanctified ones (his holy angels) in the battle is the reason why persons with physical blemishes are disqualified.<sup>132</sup> Secondly, it is an interesting fact that the Talmud (*Sabb.* 55a), while referring to Ezek 9:6, also proposes to read מְקֻדָּשִׁי, “my sanctified ones,” instead of מְקֻדָּשִׁי, “my sanctums.” Although the interpretation of the Talmud occurred in a much later period and referred to another text, the example shows that this alternative reading certainly was a

<sup>129</sup> 2Chr 26:18c: כי לכהנים בני־אהרן המְקֻדָּשִׁים להקטיר

<sup>130</sup> Ezek 48:11: לכהנים המְקֻדָּשׁ מבני צדוק אשר שמרו משמרתִי אשר לא־תעו בתעות בני ישראל כאשר תעו הלויים

<sup>131</sup> Is 13:3: אני צויתי לְמְקֻדָּשׁ גם קראתי גבורי לאפי עליזי גאותי

<sup>132</sup> Is 13:3 is not the only text that may have influenced 1QM 7:6.

possibility.<sup>133</sup> Finally, as follows from the examples above, in the instances in which מְקֹדָשִׁי involves beings, the term refers to priests and angels only and these are the groups of beings the members of the Qumran community could certainly identify themselves with.

The point here is that the authors of the Qumran Scrolls made their works while having knowledge of biblical and other writings. It is not stated here that this author consciously copied words or ideas from other scriptures, but it cannot be denied that various texts could have played a role when the author wrote down his ideas. Therefore it seems reasonable to assume that the author of 1QSa 2:8f. based his ideas about the presence of angels in the assembly as the rationale for excluding groups of persons on Deut 23:15 or Num 5:3b read in tandem with Lev 21:23, where he interpreted מְקֹדָשִׁי as “my sanctified ones” and not as “my sancta.”

## 2.7 Conclusion

The *Rule of the Congregation* is a document with a dualistic character. It has a core section that in all likelihood reflected rulings that applied to the lives of the members of the Qumran community in the present era. However, the beginning and end of the rule, give the document an eschatological outlook and in its present form, the rules of the main section could be also interpreted as messianistic. This study focused on the validity of the rulings in 1QSa in the present age, but did not deny the fact that the members of the Qumran community believed that they were already living at the end of days. They thought that the coming of the Messiah would happen in due time.

The rulings on the convocation of an assembly in 1QSa 1:25-2:11 must have been applied to actual gatherings and they were not limited to a future era. A remarkable feature of the ruling is that some persons are explicitly invited to attend the assembly, while others are unequivocally denied access. Three groups of persons were banned from attending the assembly: persons suffering from impurities, persons with physical deformities, and aged persons. The list of persons with physical deformities relied heavily on the list of disqualified blemished priests in Lev 21:16-24. Although the three groups of persons are not qualified to attend the assembly, they may still take a deposition to make their case in the council.

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<sup>133</sup> Admittedly, the Talmud does not regard the מְקֹדָשִׁי as angels but as “those who fulfilled the whole law” (*Sabb.* 55a).

The excluded persons were still regarded as members of the community and that the community did not rule out their interests. This last prescription was influenced by Lev 21:22 that also has a special provision for disabled priests who are disqualified from offering. Although they can no longer perform the sacrificial ritual, it is prescribed in Lev 21:22 that priests with a physical blemish may partake in the priestly emoluments. This prescription also makes clear that priests who are unfit to carry out the special priestly task of offering, were still regarded as a priest and could join their fellow priests in eating the holy food.

The rationale for excluding the unclean, the physically deformed, and the aged from participating in the holy council is the presence of holy angels. In the preceding paragraph it was shown that this rationale might also have Leviticus 21 as a possible source. The word *שְׁתִּימִי*, “my sanctums” or “my sanctuaries” in the MT could have been interpreted by the author of 1QSa as *שְׁתִּימִי* “my sanctified ones.” This observation is supported by Is 13:3, in which the term *שְׁתִּימִי* appears and in which it refers to YHWH’s angelic host. The angelic host also appears in the *War Scroll* (1QM 7:6), and in this text their presence is ground for excluding disabled persons from the eschatological battle. For the author of 1QSa the rationale behind excluding the impure, physically deformed and aged persons from either attending the sacrificial ritual or the assembly is the same: holy angels are present and they cannot be desanctified.





# 3

## Deformed Persons in the *Damascus Document*

### 3.1 Introduction

As we saw in the previous chapter, the *Rule of the Congregation* (1QS<sup>a</sup>) motivated the exclusion of persons with disabilities by referring to the presence of Holy Angels. The same rationale for the exclusion of disabled persons is found in a passage of the *Damascus Document*. This document lists disabled persons among other groups that are excluded from entrance into the עדה, “congregation.” The rule that excludes disabled persons because of the presence of Holy Angels is not the only reference to disability in the *Damascus Document*. There are three other passages that briefly relate to the topic. One passage contains a rule that excludes priests with speaking disabilities. The other passage shows a more compassionate attitude towards persons with physical deformities by ordering that these people should receive financial support.

This chapter investigates the presentation of disability in the *Damascus Document*. Because of its similarities with disability regulations in the *Rule of the Congregation* and the *War Scroll*,<sup>1</sup> this chapter focuses on the exclusion rule in CD 15:15b-17a. After an introduction to the *Damascus Document*, each of the three passages relating to persons with disabilities is discussed. The discussion of the passages is done in two steps. First, the text of the passage under consideration is presented as it appears on the original

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<sup>1</sup> This text is discussed in the next chapter.

documents, accompanied by notes on readings. After that, each passage is analyzed. The analysis focuses on the identity of the disabled persons in each passage and on the social implications of disability for the group behind the *Damascus Document*.

### 3.1.1 The Damascus Document

The *Damascus Document* (D) is a very important *halakhic* text in the Qumran corpus. The document has an exceptional position because it had already been known for more than half a century before the discovery of the Qumran scrolls between 1947 and 1956. In 1896 two medieval manuscripts of the *Damascus Document*, that had been stored in the Cairo Geniza,<sup>2</sup> were brought under the attention of Solomon Schechter and published by him in 1910 as *Fragments of a Zadokite Work*.<sup>3</sup> The title was chosen because the

<sup>2</sup> The Cairo *geniza* was a storeroom for old documents and texts in the Ben Ezra synagogue in Fustat, old Cairo. See Lawrence H. Schiffman, *Reclaiming the Dead Sea Scrolls: The History of Judaism, the Background of Christianity, the Lost Library of Qumran* (Philadelphia: Jewish Publication Society, 1994), 3.

<sup>3</sup> Solomon Schechter, *Documents of Jewish Sectaries. I. Fragments of a Zadokite Work* (Cambridge: Cambridge University Press, 1910), xxxi-lvi. See for other editions of the Cairo Damascus Document: L. Rost, *Die Damaskusschrift neu bearbeitet* (Kleine Texte für Vorlesungen und Übungen, 167; Berlin: De Gruyter, 1933); S. Zeitlin, *The Zadokite Fragments: Facsimile of the Manuscripts in the Cairo Geniza Collection in the Possession of the University Library, Cambridge, England* (JQRMS 1; Philadelphia: Dropsie College, 1952); C. Rabin, *The Zadokite Documents. I. The Admonition. II. The Laws* (Oxford: Clarendon, 1954 [revised 2<sup>nd</sup> edition in 1958]); E. Lohse, *Die Texte aus Qumran* (Darmstadt: Wissenschaftliche Buchgesellschaft, 1986), 63-107; E. Qimron, "The Text of CDC," in: M. Broshi (ed.), *The Damascus Document Reconsidered* (Jerusalem: Israel Exploration Society, The Shrine of the Book, Israel Museum, 1992), 9-49; J.M. Baumgarten and D.R. Schwartz, "The Damascus Document (CD)," in: J.H. Charlesworth *et al.* (eds.), *The Dead Sea Scrolls: Hebrew, Aramaic, and Greek Texts with English Translations. Damascus Document, War Scroll, and Related Documents* (The Princeton Theological Seminary Dead Sea Scrolls Project 2; Tübingen: J.C.B. Mohr [Paul Siebeck]; Louisville, KY: Westminster/John Knox Press, 1995), 4-57; F. García Martínez and E.J.C. Tigchelaar (eds.), *The Dead Sea Scrolls Study Edition* (Volume I; Leiden: E.J. Brill, 1997) 550-81. Important studies before the found of *Damascus Document* manuscript in Qumran are: I. Lévi, "Un écrit sadducéen antérieur à la destruction du Temple," *REJ* 61 (1911), 161-205; 63 (1912), 1-19; G.F. Moore, "The Covenanters of Damascus: A hitherto Unknown Jewish Sect," *HTR* 4 (1911), 330-377; G. Margoliouth, "The Calendar, The Sabbath and the Marriage Law in the Geniza-Zadokite Document," *ET* 23 (1911-2), 362-363; 24 (1912-3), 553-558; 25 (1913-4), 560-564; R.H. Charles, "The Zadokite Fragments," in: *Apocrypha and Pseudepigrapha of the Old Testament in English* (Volume II; Oxford: Clarendon Press, 1913), 785-834; M.-J. Lagrange, "La secte juive de la Nouvelle Alliance au pays de Damas," *RB* 9 (1912), 213-240, 321-360; E. Meyer, *Die Gemeinde des neuen Bundes im Lande Damaskus: Eine jüdische Schrift aus der*

document refers to “the Sons of Zadok”<sup>4</sup> in several places. The Zadokites are often regarded as those responsible for the composition of the work. The two manuscripts published by Schechter later came to be known as the (*Cairo*) *Damascus Document*.<sup>5</sup> This title was chosen because the first part of the document contains several references to “(the land of) Damascus.”<sup>6</sup>

The two manuscripts from the Cairo Geniza (CD A and CD B) contain the longest continuous portions of the *Damascus Document*. CD A is the oldest and longest manuscript of the two and dates from the tenth century CE. It contains eight sheets that are inscribed on both sides so that it has sixteen pages of text in total (CD A 1-16). The manuscript is relatively well preserved, but the last two sheets are damaged. The contents of CD A can be divided into two parts. The first part runs from page 1 to 8 and contains an Admonition. The second part (pages 9-16) contains a list of laws. CD B, which dates from the twelfth century CE, is only preserved on one sheet that is also inscribed on both sides. Its editor assigned the two preserved pages of text as CD B 19-20. The text of CD B 19 partly overlaps with CD A 7-8, but in a different version. CD B 20 has no parallel in CD A and contains additional material in the form of the end of the Admonition as it is known from CD A. The remains of CD B are significant because they show that CD A was incomplete and that its structure differed from CD B.

Immediately after its publication in 1910, scholars were of the opinion that the work had a much earlier origin than the date of the manuscripts. Schechter identified the work as a sectarian document, but scholars of his time were in dispute about his assumptions. The discovery of the Qumran Scrolls - and especially the finding of various *Damascus*

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*Seleukidenzeit*. (Abhandlungen der Preussischen Akademie der Wissenschaften, Philosophisch-historische Klasse 9; Berlin, 1919), 1-65; Louis Ginzberg, *Eine unbekannte jüdische Sekte* (New York, 1922; reprint Hildesheim: Olms, 1972). English translation: *An Unknown Jewish Sect* (New York: Jewish Theological Seminary of America, 1976).; A. Büchler, “Schechter’s ‘Jewish Sectaries’,” *JQR* 3 (1912-13), 429-485; A. Marmorstein, “Eine unbekannte jüdische Sekte,” *Theologisch Tijdschrift* 52 (1918), 92-122. See for surveys of the history of scholarship on the Cairo *Damascus Document*: S.C. Reif, “The Damascus Document from the Cairo Geniza: Its Discovery, Early History and Historical Significance,” in: J.M. Baumgarten *et al.* (eds.), *The Damascus Document: A Centennial of Discovery* (STDJ 34; Leiden [etc.]: E.J. Brill, 2000); P.R. Davies, *The Damascus Covenant: An Interpretation of the ‘Damascus Document’* (JSOTSup 25; Sheffield: Sheffield Academic Press, 1983; 1-47).

<sup>4</sup> See, e.g., CD 3.20b-4.4a

<sup>5</sup> Hence the siglum CD, which stands for Cairo Damascus (Document).

<sup>6</sup> See CD 6.5, 19; 7.15, 19; 8.21; 19.34; 20.12

*Document* manuscripts fragments - has proven to be very important to the understanding of the work. After the first finds it had already become clear that there was a connection between the *Damascus Document* and the library of Qumran. Firstly, the Qumran *Pesharim* contain the typical words “Teacher of Righteousness” and “Spouter of Lies” that were hitherto only known from the *Damascus Document*. Secondly, the connection between the *Damascus Document* and the Qumran Scrolls is established by similar ideology, vocabulary and organization that appear in the texts. With the discovery of fragments of the *Damascus Document* in Caves four, five and six (4QD, 5QD, and 6QD) it could no longer be doubted that the document had to be treated as part of the Qumran library.<sup>7</sup> From that moment on, the initial idea that the Cairo *Damascus Document* was of much earlier origin has become undeniable.<sup>8</sup>

### 3.1.2 Contents and Composition of the *Damascus Document*

The Qumran fragments of the *Damascus Document* were essential for the reconstruction of the contents and composition of the original *Damascus Document*. This is particularly the case with the fragments from Cave 4. The 5QD and 6QD fragments contain only a small amount of text, whereas some of the 4Q manuscripts are much better preserved. The 4QD manuscripts not only contain substantial parallels to the Cairo *Damascus Document*, but also significant additions. The most important additions are the beginning and end of the work and various laws that are not known from CD A and B. Much attention has been paid to the first part of the document. Recently

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<sup>7</sup> The fragments of the *Damascus Document* manuscripts from caves 5 and 6 were published by M. Baillet, J.T. Milik, and R. de Vaux, *Les ‘Petites Grottes’ de Qumrân* (DJD 3; Oxford: Clarendon Press, 1962). The 4QD manuscripts were identified by J.T. Milik and edited by J.M. Baumgarten, *Qumran Cave 4. XIII: The Damascus Document (4Q266-273)* (DJD 18; Oxford: Clarendon Press, 1996).

<sup>8</sup>The main commentaries on the *Damascus Document* after the Qumran discoveries are: Chaim Rabin (ed.), *The Zadokite Documents*. I. *The Admonition*. II. *The Laws* (Oxford: Clarendon Press, 1954; 1958 2<sup>nd</sup> revised edition); Davies, *The Damascus Covenant*; Bibliographies of studies on the *Damascus Document* may be found in: J.A. Fitzmeyer, “Prolegomenon,” in: reprint of S. Schechter, *Documents of Jewish Sectaries* (Ktav, New York, 1970), 25-34 (this bibliography concentrates on the years 1970-1989); F. García Martínez, “Damascus Document: A Bibliography of Studies 1970-1989,” in: M. Broshi (ed.), *The Damascus Document Reconsidered* (Jerusalem: The Israel Exploration Society – The Shrine of the Book, Israel Museum, 1992), 63-83.

scholars have begun to realize that the *Damascus Document* is primarily a legal work and concentrate more on the Law part of the document.<sup>9</sup>

It is hard to define the chronological order of most of the 4QD manuscripts. Paleographic analysis of the manuscripts showed that six manuscripts (4Q267, 4Q268, 4Q269, 4Q270, 4Q272 and 4Q273) were written in a formal Herodian script with only minor varieties in style. 4Q271 is a late Hasmonean or early Herodian handwriting. The oldest manuscript of the *Damascus Document* is 4Q266. This manuscript is written in an idiosyncratic Hasmonean semi-cursive hand. The many scribal erasures, deletions and cancellation dots indicate that this manuscript was written for private use.<sup>10</sup>

The actual sequence of the text is not entirely certain. After reconstructing the supposed original sequence of the text, it appears that at least one third of the original text is missing in CD A. The *Damascus Document* can be divided into two separate textual units. The beginning of the work is usually called the “Admonition” and contains the beginning of the work and admonitions to the community members. The second part is defined as “Laws.” It is a collection of general laws and communal *halakha*, a Penal Code, a description of the ritual of exclusion, and the conclusion of the work. The law corpus can be divided into 1) Laws and 2) Communal Rules. In the first edition of the Geniza text, Schechter placed the communal rules (pages 15-16) after the laws (pages 9-14). From the 4QD manuscripts can be gathered, however, that the Communal Rules must be placed between the Admonition and the general laws.<sup>11</sup> This idea was first posed by J.T. Milik and later adopted by J.M. Baumgarten. At the beginning of the second part of the work Baumgarten places various laws supplemented from the 4QD manuscripts. The 4QD supplements are followed by pages 15-16 and then by pages 9-14 of the Geniza text.<sup>12</sup> The reconstruction of the ancient version of the *Damascus Document* with the new material from the 4QD

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<sup>9</sup> See Joseph M. Baumgarten, “The Laws of the *Damascus Document* in Current Research,” in: M. Broshi (ed.), *The Damascus Document Reconsidered* (Jerusalem: The Israel Exploration Society – The Shrine of the Book, Israel Museum, 1992), 52.

<sup>10</sup> Baumgarten, DJD 18, 2.

<sup>11</sup> This is clearly indicated by 4Q266 f. 8 i-ii and 4Q269 f. 6 i-iii, which show that the contents of columns 15-16 must be placed immediately before the beginning of column 9 of the Geniza text.

<sup>12</sup> See J.T. Milik, *Ten Years of Discovery in the Wilderness of Judaea* (SBT 26; London, 1959), 151-152; J.M. Baumgarten, “The Laws of the *Damascus Document*,” 52-54 and Idem, DJD 18, 1-5.

manuscripts indicates that the laws and community regulations formed two-thirds of the work.<sup>13</sup> It may therefore be concluded that the admonitions function as an introduction to the laws that follow in the next section. The following outline of the *Damascus Document* is a reconstruction of the ancient version. The Qumran material is added in the sequence of the Geniza text (CD A and B).<sup>14</sup>

<b>The <i>Damascus Document</i></b>	
<b>Admonition:</b>	1) Beginning of the work. Only preserved in 4Q266 and 4Q267 2) CD A 1-8 3) CD B 20
<b>Laws:</b>	1) Laws on a variety of topics. Only preserved in the 4QD manuscripts 2) CD A 15-16 3) CD A 9-14 4) Ritual of Exclusion. Only preserved in 4Q267 and 4Q270

Table I: Structure of The Damascus Document

<sup>13</sup> A reconstruction of the document's whole text has been recently published by Ben Zion Wacholder, *The New Damascus Document. The Midrash on the Eschatological Torah of the Dead Sea Scrolls: Reconstruction, Translation and Commentary* (STDJ 56; Leiden: Brill, 2007).

<sup>14</sup> J.M. Baumgarten, admits that the placement of some of the Qumran material is tentative. See Joseph M. Baumgarten, "Damascus Document," in: L.H. Schiffman and J.C. VanderKam (eds.), *Encyclopedia of the Dead Sea Scrolls* (Oxford: Oxford University Press, 2000), 166-167, and Baumgarten and Schwartz, "Damascus Document (CD)," 5. Baumgarten adopted the sequence proposed by J.T. Milik, i.e. 1-8, 19-20 (CD B), 15-16, 9-14. See Milik, *Ten Years of Discovery*, 151-152. See for an elaborate treatment of the contents and outline of the Damascus Manuscripts: Charlotte Hempel, *The Damascus Texts* (Companion to the Qumran Scrolls 1; Sheffield: Sheffield Academic Press, 2000), 26-43. A comparable outline is published in F. García Martínez and A.S. van der Woude, *De Rollen van de Dode Zee* (Deel 1: Wetsliteratuur en Orderegels – Poëtische Teksten; Kampen: Kok / Tiel: Lannoo, 1994), 220-221.

### 3.1.2.1 *The Admonition*

The complex structure of the Admonition indicates that the text is a result of a longer period of literary growth.<sup>15</sup> This can be gathered from the recurring claims in the Admonition to a proper interpretation of the Law. The Admonition can be divided into five separate units:

- 1) The Admonition begins with a summation by a teacher to the “children of light” to be faithful to the regulations of Moses (4Q267). There are indications that this introduction contained an exemplary description of sins, such as consultation of death charmers and soothsayers, a specific sexual offence against the own spouse, the tenths, the release price, skin diseases, political treason, and the slaughter of pregnant animals.<sup>16</sup> These sins are also discussed in the *halakhic* part.
- 2) The second unit contains three speeches that are uttered in the first person. A teacher speaks to his “children,” who are those who joined the covenant and have knowledge of justice. The first speech (CD A 1: 1 – 2:1) learns about God’s ways. It recounts the appearance of the Teacher of Righteousness and the establishment of the community. In the second speech (CD A 2:2-13) the teacher unfolds God’s plans for the righteous and the wicked. The last speech (CD A 2:14 – 4:12a) is a summary of the holy history. It starts with the fall of angels (cf. Genesis 6) and ends with the establishment of the community as “a sure house in Israel” in which all the pious gather.
- 3) The third unit juxtaposes outsiders and community members (CD A 4:12a – 6:1). The outsiders are caught in the three nets of Belial (sexual abuse, wealth, and pollution of the temple). The community members are

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<sup>15</sup> García Martínez and Van der Woude, *De Rollen van de Dode Zee*, 221.

<sup>16</sup> This can be claimed if it is correct that the sin catalogue of 4QD<sup>e</sup> 9, columns I-II must be placed here. This catalogue is partly parallel to CD A VI 14 – VII 4.

- described as “the converts of Israel, who left the land of Judah and lived in the land of Damascus.”
- 4) The fourth unit (CD A 6:2 – 7:8) contains a list of laws that must be observed by community members. Parallel conditions are attested partly in CD B 19:5a
  - 5) The fifth unit is the conclusion of the first part and ends with two admonitions and a promise of salvation for those who obey all the laws (CD B 20:27b-34 [end of CD B]). Before these blessings two admonitions are listed. The first admonition is preserved in two different forms in both CD A 7:9 – 8:21 and in CD B 19:5b-33a. It is directed against those who have decided not to join the community, the princes of Judah and the “builders of the wall.”<sup>17</sup> The second admonition is only preserved in CD B 19:33b-20:27a. It is directed against community members who have become unfaithful to the new covenant and who turned away from the words of the teacher of Righteousness.

### 3.1.2.2 *The Laws*<sup>18</sup>

The laws in the second major part form the central body of the document. This can not only be concluded from the fact that the laws constitute two-thirds of the whole work, but also from the concluding formula of the work in 4Q266 f.11:18, “This is the exact interpretation of the regulations which they are to observe (...).”<sup>19</sup> The laws in the *Damascus Document* are not

<sup>17</sup> There is much scholarly discussion about the relationship between the two different forms of this first admonition in CD A 7:9 – 8:21 and in CD B 19:5b-33a. See for the most recent scholarly positions and literature references two articles by Stephen Hultgren, “New Literary Analysis of CD XIX-XX, part 1: CD XIX:1-32a (with CD VII:4b-VIII:18b): The Midrashim and the ‘Princes of Judah’” *RevQ* 21/4 (2004), 549-578 and “A New Literary Analysis of CD XIX-XX, part II: CD XIX:32b-XX:34. The Punctuation of CD XIX:33b-XX:1a and the Identity of the ‘New Covenant’” *RevQ* 22/1 (2005), 7-32.

<sup>18</sup> See for a detailed analysis of the laws of the *Damascus Document*: Charlotte Hempel, *The Laws of the Damascus Document. Sources, Traditions and Redaction* (STDJ 29; Leiden [etc.]: Brill, 1998).

<sup>19</sup> Florentino García Martínez and Eibert J.C. Tigchelaar, *The Dead Sea Scrolls Study Edition* (Volume I [1Q1 - 4Q273]; Leiden: Brill 1997), 597 and 599.



presented as direct divine commandments, such as the laws that are found in the *Temple Scroll*.<sup>20</sup>

The laws consist of two categories. Firstly, the law section contains religious laws and general halakha.<sup>21</sup> The laws that are amplifications of biblical laws are mostly introduced by the formula *אשר אמר* (1). The most elaborate collection of this type of law can be found in relation to the “nets of Belial.” The majority of the laws in the *Damascus Document* are formulated apodictically,<sup>22</sup> either positively or negatively. The negative formulation of the apodictic laws occurs with *ל*, followed by a verb in imperfect and the noun *איש*.

The law section does not systematically treat the community precepts, nor does it expose biblical norms as is done in the Hebrew Bible. It does not follow the scriptural sequence and must be understood as an anthology of regulations that are related to different topics. At times, it is possible to discern the logical or associative reasons for clustering certain laws together. Sometimes the link between laws is established by a similar topic, in other cases the association is only based on similar wording. The laws are associatively and more or less thematically categorized. The distinct parts are mostly introduced by a formula starting with *על*, “concerning,” followed by a particular subject.

The subjects treated are taken from different law collections. This can be concluded from several characteristics. A first indication of the use of various sources is the discernment of different addressees throughout the document. In some instances the regulations are directed at Israel as a whole, in other cases at inhabitants of cities who belong to the community, at times to the camps, etc. A second characteristic from which can be inferred that the *Damascus Document* was composed of different law collections is the amount of provisions that have a summarizing character. Finally, the use of different sources can be gathered from the variety of treated subjects and the above-mentioned disarrangement of their reproduction.

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<sup>20</sup> Baumgarten, DJD 18, 11.

<sup>21</sup> Some of these laws can be compared with the laws defined as “Oral Law” in the Talmud. This does not mean that the laws of the *Damascus Document* and later rabbinic halakhah are closely related, because there are various other laws in the *Damascus Document* that clearly differ from those of the rabbinic tradition.

<sup>22</sup> This does not mean that the laws lack any scriptural basis, but they are non-exegetical. Methodologically this constitutes a parallel between the *Damascus Document* and the Mishnah. See Baumgarten, DJD 18, 13 and Idem, “Damascus Document,”

The *Damascus Document* reflects its author's interest in the proper interpretation of the Law of Moses. The collection of laws and rules for the community deal with a variety of subjects, such as various impurities, priestly functions, swearing oaths, treatment of gentiles and transgressors, the Sabbath, food, etc. This study investigates the way in which the *Damascus Document's* rulings reflect attitudes towards persons with disabilities.

### 3.1.3 Literary History

The finding of the 4QD manuscripts has contributed greatly to the understanding of the document's literary history. It was a pleasant surprise to verify that the manuscripts of the *Damascus Document* found in Qumran confirm the reliability of the Geniza texts. The *Damascus Document* in its present form has a clear structure and unity that are clearly the result of a process of literary growth. Every part of the document witnesses the use of various sources. Much attention has been paid to the first part of the document, the Admonition. Especially before the discovery and edition of the cave four fragments, scholars were very interested in determining the literary growth of this part of the work. This is logical of course, because it is only since the discovery of the 4QD fragments that the importance of the laws can be estimated to its value. A variety of proposals for the original composition of the Admonition exist, but no scholarly agreement has been reached so far.<sup>23</sup> The speeches, for example, may have been derived from a collection of sermons. A second possibility is that the speeches once functioned as a separate exegetical collection from which the explanation of the three nets of Belial (CD A 4:12 – 5:19), and of the source and the staff (6:3 – 11) and of the fallen hut of David (7:14 – 21) were taken. Yet, it is also possible that they are the work of the redactor himself. Older sources could lie at the basis of the critical address of the princes of Judah in CD A 8:3 – 19. The same can be said of the attacks at unfaithful members. These attacks relate to various historical events during and after the life of the Teacher of Righteousness.

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<sup>23</sup> See for an outline of the various hypotheses on the literary growth of the Admonition of the *Damascus Document*, Hempel, *Damascus Texts*, 44-49.

The part of the *Damascus Document* that contains the laws and community regulations were also subject to a longer period of literary growth.<sup>24</sup> This especially became clear after the publication of the Damascus manuscripts from Qumran Cave 4. Schechter already observed in the *editio princeps* of the Geniza texts that the Laws came from various law collections and that they were haphazardly put together. Although this conclusion on the basis of the 4QD manuscripts is validated, Schechter's observation was probably based on his (incorrect) ordering of pages 15-16, which was later corrected by Milik.

### 3.1.4 Origins of the *Damascus Document* and its Place within the Qumran Library

Taking the multiple copies of the *Damascus Document* that existed in Qumran into account, it can be inferred that the document had a prominent place within the library of Qumran. The *Damascus Document* was often treated as one of the foundational works of the Qumran Community.

There are several signs throughout the document that a distinct community is addressed. In the Admonition the history of the community is put in the framework of a sacred history. The community members are said to have separated themselves from the "children of the pit" and to adhere to the old precepts and laws. The admonitions mention figures that also play an important role in other writings that were found in Qumran: the Teacher of Righteousness and "the Spouter of Lies" (CD A 1:11.14). In the law part of the document, no obvious references are made to a distinct community. The laws do not contain any polemics against other groups and the laws are formulated apodictically. However, the scope of the laws parallels that of the laws of *4QMMT* and the *Temple Scroll* and this gives good reason to assume that they address similar circles. These groups were also responsible for adding the precepts about admission into the community and her officials. The community regulations at the end of the document again stress the idea that the *Damascus Document* addresses a distinct community.

In all likelihood, the *Damascus Document* was not composed in Qumran. For a large part, this can be deducted from its relation with the *Rule*

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<sup>24</sup> The Penal Code at the end of the *Damascus Document* probably reflects an older law system than that of the *Rule of the Community*.

of the Community. This latter document also underwent its final redaction in Qumran and shares many similarities with the *Damascus Document*.<sup>25</sup> The similarities consist, firstly, of a number of literary parallels between the *Damascus Document* and the *Rule of the Community*. Secondly, the picture of the communities that is sketched in both works is very similar. Both communities consider themselves as the true Israel and believe in the authority of the Zadokite priesthood.<sup>26</sup> The priests are in charge of the communities, which are headed by the מִבְּקֵר, “Overseer.” Both the *Damascus Document* and the *Rule of the Community* know the “congregation of the Many” and state that persons who want to enter into the community must swear an oath of loyalty to the covenant. The legislation contained in both works is also very similar.

Yet, despite the similarities, there are also many significant differences that indicate that the *Damascus Document* and the *Rule of the Community* go back to different circles. The way of life described in the *Rule of the Community* seems much more rigid than that of the *Damascus Document*. A two-year probation period is needed in the *Rule of the Community* before a person can be admitted into the community. Such a period for admittance into the camps is not mentioned in the *Damascus Document*. The members of the community described in the *Damascus Document* have a normal family life with wives and children. The *Rule of the Community* seems to address people who are unmarried. The *Damascus Document* seems to take an intermediate position between the stringent and lenient way of life. This can be inferred from the work’s perspective on marriage. Contrary to, for example, the *Rule of the Community*, marriage is permitted, but it is under the control of the sectarian master.<sup>27</sup> The

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<sup>25</sup> Recently, there has been a lot of debate over the question as to how the communities behind the *Damascus Document* and the *Rule of the Community* are related. See E. Regev, “The *Yahad* and the *Damascus Covenant*: Structure, Organization and Relationship,” *RevQ* 82/21 (2003), 233-262; and the articles by John J. Collins, “The *Yahad* and the ‘Qumran Community’,” 81-96; Charlotte Hempel, “*Maskil(im)* and *Rabbim*: From Daniel to Qumran,” 133-156; Sarianna Metso, “Whom does the term *Yahad* Identify?,” 215-235 in: Charlotte Hempel and Judith M. Lieu, *Biblical Traditions in Transmission: Essays in Honour of Michael A. Knibb* (JSJSup 111; Leiden [etc.]: Brill, 2006).

<sup>26</sup> Yet, it must be noted that the *Damascus Document* does not regard the Zadokite descent as important as *Rule of the Community*, since there is only one reference to the Zadokite priesthood in CD 3:21-4:4. Interestingly, this is the context of a quotation from the book of Ezekiel.

<sup>27</sup> See Albert I. Baumgarten, “The Perception of the Past in the *Damascus Document*,” in: Joseph M. Baumgarten et al. (eds.), *The Damascus Document. A Centennial of Discovery*.

community members in the latter scroll share all their possession, whereas the addressees of the *Damascus Document* seem to have their own income. The dwelling place of the community of the *Rule of the Community* is the desert, but the community of the *Damascus Document* lives in camps or in cities. According to the *Rule of the Community*, every contact with outsiders must be avoided. The *Damascus Document* on the other hand, provides regulations for contact with others, including gentiles. The community of the *Damascus Document* assumes the existence of judges. These judges are not mentioned in the *Rule of the Community*. The Overseer of the *Damascus Document* acts on his own authority, whereas in the *Rule of the Community* he is surrounded by a council. A last point of divergence between the *Damascus Document* and the *Rule of the Community* is the existence of a system of mutual assistance in the former document that is unknown in the latter.

References to (the land of) Damascus in the document are a second point of discussion.<sup>28</sup> A connection between Qumran and Damascus is unclear, since there are no indications that the community of Qumran was ever in Damascus. One could argue that these references must be regarded as allusions to Amos 5:27 which refer to Damascus as a place of exile.

A third point from which can be concluded that the *Damascus Document* was not composed in Qumran is its perspective of the Temple cult. The addressees of the *Damascus Document* seem to participate in the temple cult. The Temple is regarded as pure and the *Damascus Document* contains laws to maintain the temple's purity.<sup>29</sup> This view of the temple cult differs from the picture of the temple reflected in several other texts found in Qumran in which the temple is ignored, spiritualized or criticized.<sup>30</sup>

The fourth and last point from which can be concluded that the roots of the *Damascus Document* do not lie in Qumran is the theology of the document. From the Admonition can be drawn that the *Damascus Document* holds that people have influence on their lot by deciding not to act in an evil way. Even members of the community can revert to evil, but the way to

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*Proceedings of the Third International Symposium of the Orion Center for the Study of the Dead Sea Scrolls and Associated Literature, 4-8 February, 1998* (STDJ 34; Leiden/Boston/Köln: Brill, 2000), 1-15.

<sup>28</sup> See, e.g., CD 6.5; 8.21; 7.18-19

<sup>29</sup> See CD 11.19-12.2; 16.13ff.

<sup>30</sup> 1QH ignores the Temple cult, the *Rule of the Community* spiritualizes it, and 1QpHab 12.8-9 criticizes the Temple cult.

salvation can be through by repentance. This picture is not exposed in Qumran texts as, for example, the *Rule of the Community* and 1QH. These texts show very clearly that a person has no influence on his own destiny. It is the divine will that has one lot assigned for every person.

From the arguments listed above it can be concluded that it is more likely that a group rooted in the same general movement from which the Qumran community arose, composed the document. Thus, the groups were related, but not identical. This relation is best explained by the assumption that the community behind the *Damascus Document* is an Essene group, whereas the community of the *Rule of the Community* is a schism within the Essene movement. This theory fits the Groningen Hypothesis, which – in short- regards the Essene movement as the mother community from which the Qumran community was a daughter group.<sup>31</sup> This latter group withdrew into the wilderness with the Teacher of Righteousness. The group developed its own community life that differed at many points from the life in Essene camps and cities. This idea is reflected in the work of Flavius Josephus who sketches two groups of Essenes: the members of groups that live in “perfect holiness” and other community members who “live (in) camps, according to the rule of the land, and take wives and beget sons”(7.6-7).<sup>32</sup>

### 3.1.5 Dating

Especially when it comes to the Admonition, scholars have attempted to apply source critical methods to the work. Yet, there is hardly any scholarly agreement in determining the literary segments and their chronological provenance.<sup>33</sup> The sketched history of the community in this part of the document does not allow establishing a date for the work. There are two indications in the text that allow establishing a *terminus post quem*. A first indication is a citation from the *Book of Jubilees* in CD A 16:3. From this can be concluded that the *Damascus Document* cannot be older than approximately 150 BCE, the time of the composition of the *Book of Jubilees*. Secondly, the document mentions the death of the *Teacher of Righteousness*. Therefore, its dating can be estimated not to antedate the year 110 BCE. This is the year some scholars believe the *Teacher of Righteousness* died. The

<sup>31</sup> See F. García Martínez, “Qumran Origins and Early History: A Groningen Hypothesis,” *Folia Orientalia* 25 (1988), 113-136; F. García Martínez and A.S. van der Woude, “A ‘Groningen Hypothesis’ of Qumran Origins and Early History,” *RevQ* 14/56 (1990), 521-41.

<sup>32</sup> Baumgarten and Schwartz, “Damascus Document (CD),” 7.

<sup>33</sup> Baumgarten, “Damascus Document,” 169-70.

oldest preserved manuscript of the *Damascus Document* was found among the manuscripts in Cave 4. It can be dated to the beginning of the first century BCE. This implies that the *Damascus Document* must have been composed in the second half of the second century BCE. The Qumran edition of the work must date from this period, before the final redaction of 1QS.

As explained above, the *Damascus Document* is the result of a longer period of literary growth. It is also believed that the document in its present form also existed earlier, at least to a large extent. The dating of the composition of the *Damascus Document* to the second half of the second century BCE does not imply that distinct parts of the document could not be older. The Penal Code at the end of the *Damascus Document* probably reflects an older law system than that of the *Rule of the Community*.

## 3.2 The Exclusion Rule in CD 15:15-17

### 3.2.1 Texts

One of the references to disability in the *Damascus Document* is a rule that excludes persons with physical blemishes from entering into the הַעֲדָה, “congregation.” In three manuscripts the same ruling is contained: CD 15:15-17; 4Q266 f. 8i:7-9; 4Q270 f. 6ii:8-9.<sup>34</sup> Before we turn to the interpretation of this ruling, the text of each manuscript is discussed separately. Below, the reconstruction of each text is provided with textual notes followed by a composite text and a translation.

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<sup>34</sup> On the basis of the Geniza text alone, it is possible to include the two previous categories, the אֵילֵל, “stupid,” and the מְשׁוּגָה, “deranged.” Yet, the text of 4Q266 allows for an alternative reading, which makes it very likely that the regulation is headed by the exclusion of the simple and the errant. See for a more elaborate treatment of the matter the textual notes on the composite text in paragraph 3.2.1.4.

3.2.1.1 *CD 15:15-17*<sup>35</sup>

At the bottom side of page 15 of the Geniza text a few words indicate a reference to persons with mental and physical handicaps. Because on this part of the sheet the leather is damaged and the ink is faded, it is impossible to reconstruct the entire ruling from the Geniza text alone.

	15	וכל פת[ו]ש[ו]גה
[ונער ז'עטו]ט אל	16	וכהה עינים לבל[תי]
...[ ...]	17	יבוא איש]

*Textual Notes*

L. 15 פת[ו]ש[ו]גה: The most probable reconstruction for the lacuna after פת is פתי. This reconstruction is evidenced in 4Q266, which has the entire word preserved.

L. 15: [ש[ו]גה : Lohse reads [ש[ו]גה.<sup>36</sup> This reading is unlikely. First, it is unclear how Lohse is so certain of the reading ג. Only a few traces of ink are extant on the manuscript and they allow for other reconstructions as well. Moreover, there is not enough space within the lacuna for the reconstruction of four characters before the ג. A last point of discussion is Lohse's reading of the last character in this line as ע. He probably misinterpreted the upper part of the ל in the line below as the bottom part of an ע. Qimron, Baumgarten and García Martínez and Tigchelaar reconstruct שוגה.<sup>37</sup> They may have omitted the ו in their text editions because the spot of ink on the manuscript is curved to the left, which does not match with a ו. Yet, it is possible that this ink trace belongs to the ש and not to the ו. The manuscript does not have any traces left of the possible ו. The two 4QD manuscripts that contain the same ruling read ושוגה. Moreover, there is enough space within the lacuna to reconstruct a ו. For this reason, the reconstruction ושוגה that parallels with the wording of 4Q266 and 4Q270 is preferred.

<sup>35</sup> See for transcriptions and/or translations of the text: Lohse, *Die Texte*, 98-99; Qimron, "The Text of CDC," 38-39; Baumgarten and Schwartz, "Damascus Document (CD)," 38-39; García Martínez and Tigchelaar, *DSSSE I*, 564-565. For photographs of this column, see Qimron, "The Text of CDC," 38.

<sup>36</sup> Lohse, *Die Texte*, 98.

<sup>37</sup> See for the reading ש[ו]גה: Qimron, "The Text of CDC," 38; Baumgarten and Schwartz, "Damascus Document (CD)," 38; García Martínez and Tigchelaar, *DSSSE*, 564.



L. 16 עינים: The ink has faded on this part of the sheet. With help of 4Q266 the word עינים is restored. This reconstruction corresponds with the traces of ink still visible on the sheet.

L. 16 ז[עטן]ט: This word is restored with the help of 4Q266.

L. 17 Although this does not change the meaning of the word, יבוא García Martínez and Tigchelaar read יביא.<sup>38</sup> The ink has faded on this part of the manuscript, which makes it difficult to decipher the characters. Yet, on the photograph the long stroke before the א reveals that a reading י is more probable than י.

### 3.2.1.2 4Q266 f. 8i:7-9<sup>39</sup>

4Q266 (4QD<sup>a</sup>) is the oldest and most extensive *Damascus Document* manuscript from Cave 4. This manuscript consists of 11 numbered and identified fragments that often extend over several columns. These identified fragments consist of various individual fragments that are grouped together. Moreover, 64 numbered and unidentified fragments are preserved which are largely very small with no more than traces of letters.<sup>40</sup> The manuscript is inscribed on sheepskin. The skin still contains traces of wool since it was not thoroughly de-haired.<sup>41</sup> The manuscript is special because it is the only manuscript from cave 4 with the beginning and end of the document. The opening column has a fastening device attached, and a handle sheet without text follows the concluding column.

4Q266 is written in a semi-cursive, non-calligraphic hand that is dated to the first half or the middle of the first century BCE.<sup>42</sup> Recent C-14 dating resulted in dates of 5-80 CE and 45 BCE-120 CE.<sup>43</sup> The handwriting, described by Ada Yardeni, has some interesting paleographical characteristics.<sup>44</sup> It appears that the manuscript was written rapidly and carelessly, although the basic pattern of the handwriting has relatively few

<sup>38</sup> García Martínez and Tigchelaar, *DSSSE*, 564.

<sup>39</sup> See Baumgarten, DJD 18, 63-64 and PAM 43.274.

<sup>40</sup> See for the identified fragments Baumgarten, DJD 18, 31-78 and for the unidentified fragments, Idem, 78-93.

<sup>41</sup> Baumgarten, DJD 18, 23.

<sup>42</sup> F.M. Cross, "The Development of the Jewish Scripts," in: G. Ernest Wright (ed.), *The Bible and the Ancient Near East: Essays in Honor of William Foxwell Albright* (Garden City, New York: Doubleday & Company, Inc., 1961), 170-264.

<sup>43</sup> Hempel, 21

<sup>44</sup> For details about the writing of individual letters see, Baumgarten, DJD 18, 26-30.

variations. Moreover, the letterforms and line spacing vary in size. On a few fragments a different, somewhat clumsy hand can be discerned next to the main hand. The manuscript was written in several phases. This can be inferred from the use of different pens and altering “moods” of the scribe.<sup>45</sup> The manuscript contains various corrections that were put there by the same hand. The divine name *el* is written in square script. The section of interest for this study is the following:

7    וכל פתי ושוגה וכה עינים לבלתי ראות  
8    [ו]חגר או פסח או חרש ונער זעטוט א[ל]    איש  
9    [מ]אלה אל תוך העדה כי מלאכ[י] הקוד[ש] ש [...]

#### *Textual Notes*

L. 7 וכה: A combination of an infinitive construct followed by a noun is not uncommon in Qumran Hebrew. The Geniza text reads a qal passive participle כהה. A passive participle followed by a noun is a grammatical combination that also occurs more frequently.

L. 8 [ו]חגר: From line 7 the right margin of the fragment is gone. Traces of a character before the ח are distinguishable, and the margin allows space for an additional character. A reconstruction as וחגר is most likely. The word also occurs together with some of the same impairments (פסח, חרש) and the young boy (נער זעטוט) listed here in 1QM 7:4.

L. 8 א[ל]: A small remnant of the א can be discerned on the manuscript. Because CD 15:16 has אל preserved after זעטוט, the most likely reconstruction is אל.

L. 9 [מ]אלה: Only part of one stroke of the א is visible on the fragment due to the damaged right margin. Because 4Q270 f. 6ii:9 reads מאלה here, this must be considered as the most likely reconstruction.

L. 9 העדה: Severe damage of the leather allows only for the certain identification of the last two characters. Traces of ink reveal the likelihood of two characters before דע, the first of which most likely is a ה. The wording is not preserved either in the Geniza text or one of the other 4QD fragments. In the *Rule of the Congregation* (1QSa 2:3-9) also contains a ruling that excludes certain classes of people.<sup>46</sup> This ruling in 1QSa uses similar

<sup>45</sup> Baumgarten, DJD 18, 26.

<sup>46</sup> See Chapter 3: “The Exclusion of Deformed Persons From the Holy Council in 1QSa 2:3-9.”

wording and the combination of the words תוך and עדה appears four times.<sup>47</sup> Comparison with the *Rule of the Congregation* (1QSa) makes likely a reading of the word as העדה.

L. 9 מלאכ[י] הקודש]ש: The reconstruction is based on parallels between this ruling in the *Damascus Document* and the one in the *Rule of the Congregation* (1QSa), which mentions the presence of the angels of holiness.<sup>48</sup>

### 3.2.1.3 4Q270 f. 6ii:8-9<sup>49</sup>

The second largest manuscript from the 4QD manuscripts is 4Q270 (4QD<sup>e</sup>). It consists of seven numbered and identified fragments and five numbered and unidentified fragments.<sup>50</sup> The manuscript is written on sheep leather of average thickness. The script is dated to the first half of the first century CE and was written by a professional scribe. The manuscript has clearly discernable horizontal and vertical lines made from diluted black ink.<sup>51</sup> Moreover, 4Q270 f. 3i:19 contains writing in red ink, although poorly discernable. The rest of the manuscript is written with black, opaque ink. The end of the work in 4Q270 f. 7ii is indicated by several empty ruled lines at the end of the column, which are followed by an entirely empty ruled column to the left. Also in this manuscript, the divine name *el* is written in square script.

8 וכל פותה ושוגה ו[ ראות ו[  
9 א[ש מאלה אל] ]

L. 8 וכל: Only the upper most part of the ל is visible on the fragment. Yet, with help of the Geniza text and 4Q266 וכל can be restored with certainty.

<sup>47</sup> The combination of the words תוך and עדה occurs in 1QSa 2:5, 7, 8. In 1QSa 2:10 the words תוך appears and it is very likely that עדה can be reconstructed in the lacuna.

<sup>48</sup> See 1QSa 2:8-9 which contains the words כִּיָּא מִלֹּאכִי קוֹדֵשׁ [בַּעֲצָתָם]. Because there is no D fragment with text preserved after מִלֹּאכִי קוֹדֵשׁ it is not certain whether the *Damascus Document* also read בַּעֲצָתָם. This is why the words מִלֹּאכִי [י] קוֹדֵשׁ]ש are not completed in this reconstruction. See for a discussion of the words in 1QSa 2:8-9 chapter 2.5.3; 2.6.2; 2.6.3.

<sup>49</sup> See Baumgarten, DJD 18, 156-157 and PAM 43.297. For a description of the fragment see: Idem, DJD 18, 137-141 and Hempel, 22.

<sup>50</sup> See for the identified fragments, Baumgarten, DJD 18, 141-167 and for the unidentified fragments, Idem, 167-168.

<sup>51</sup> The ruling of this manuscript is rare, but not unique. 11QShir has a similar way of ruling.

Although the word is on the outer right side of the fragment, this was apparently not the original margin of the fragment, at least if Baumgarten's placement of the fragments that is recorded on the photograph is accepted.<sup>52</sup> The reconstructed line 20 and 21 with the remains of f.6i preserve the original right margin and the inter-columnar space.

L. 8. פוּתָה : The last two characters are complete, and the ך is only slightly damaged. A very small trace of ink indicates the original placement of the פ. The damage on this part of the sheet is to the epidermis beneath the lettering and along the line of the written text.<sup>53</sup> Interestingly, 4Q270 has a qal participle of the verb פָּתָה, "to be simple," and not the noun פָּתִי, "simple," as 4Q266 and the Geniza text. Yet, this does not alter the interpretation of the text.

L. 8 ן[אוּת : The three identifiable characters are the only three on the small fragment that Baumgarten ascribes as part of 4Q270 f. 6ii. The placement of the fragment here is possible, but given the fact that the word ending אוּת – is very common, the positioning remains uncertain.

L. 9 איש מאלה : Again, epidermis deterioration of the sheet causes damage to the written text so that of the word preceding מאלה only a ש can be distinguished. With the help of 4Q266 f. 8i:8 and CD 15:17 the word איש can be reconstructed.

#### 3.2.1.4 *Composite Text*

The ruling to exclude a young boy and persons who are either mentally or physically disabled from the congregation that can be found on the three *Damascus Document* manuscripts discussed above, is best preserved in 4Q266. Yet, for the sake of clarity, this study uses the enumeration of the Geniza text for reference in the composite text below. The text outside square brackets is the Geniza text and text between square brackets corresponds to a lacuna in the Geniza text. Underlined text written outside square brackets refers to parallel wording in 4Q266. Underlined text written between square brackets is text from 4Q266 that corresponds to a lacuna in the Geniza text. Words or characters that are attested in both 4Q266 and 4Q270 are indicated by a double underline. Words or characters with a dotted underline are attested in 4Q270 and not in 4Q266.

<sup>52</sup> See PAM 43.295 and 43.297.

<sup>53</sup> Baumgarten, DJD 18, 138.

15	וכל פת[י] וּש[ו]גה
16	וכה עינים לבל[ת]י ראות [ו]חגר[ו] או [פסח א]ו חרש [ו]נער ז[עטו]ט אל
17	יבא אי[ש] מאלה אל תוך העדה כי מלאכי הקודש [...]

“(15) And anyone simp[le], er[r]ant, (16) with dimmed eyes too weak t[o see,] limping, [or ]lame, o[r deaf, ] and an un[der-a]ge boy: no[ne (17) of these] may enter [the congregation, because the angels of holiness are...].”

### Textual Notes

L. 15: וכול פתי: The general exclusion rule is headed by mental disabilities, but the question is whether it includes the preceding אויל and משוגה or whether the beginning of the exclusion rule is marked by the words וכול פתי.<sup>54</sup> In the previous section, which deals with an examination by the overseer, mental capacities play an important role. CD 15:11 states that an examination is necessary before the ordinances are made known “lest he reveal himself to be a simpleton,” (שמה יתפתה בו). Mental qualities are stressed again in line 15. The Geniza text reads: ולפי דעתו היותו אויל (...) ומשוגע וכול פת[י] וּש[ו]גה. The interpretation of these words is difficult. What is also difficult is that CD 15:15 marks the beginning of the general exclusion rule and that the exact division between the two literary sections is not immediately evident.

A question that needs to be answered is whether the section about the examination by the overseer ends with אויל and משוגה or whether these words form the beginning of the exclusion rule. As already said, the interpretation of the Geniza text is difficult, but with help of 4Q266 an alternative reading becomes possible. If one argued that the exclusion rule is headed by פתי וכול, the end of the preceding section would be: ולפי דעתו היותו אויל ומשוגע, “and in accordance with his knowledge: he is stupid or deranged.” This wording is quite puzzling. 4Q266 contains a different reading with two additions that lead to a better Hebrew text of the line. It

<sup>54</sup> See Lohse, *Die Texte*, 99; Schiffman, *The Eschatological Community*, 48; García Martínez and Tigchelaar, *DSSSE*, 565; Hempel, *The Laws*, 75 who interpret the beginning of the line as starting with פתי וכול. On the other hand, Milik, *Ten Years of Discovery*, 114; Baumgarten and Schwartz, “Damascus Document,” 39 believe that the general exclusion rule also includes משוגה and אויל. This view is also advocated by Ben Zion Wacholder, *The New Damascus Document. The Midrash on the Eschatological Torah of the Dead Sea Scrolls: Reconstruction, Translation and Commentary* (STDJ 56; Leiden: Brill, 2007), 265.

reads (the additional text of 4Q266 is underlined): ולפי דעתו יקרב וכל היותו אל יבן ומשוגע אל יבן, “and in accordance with his knowledge he will approach. And anyone stupid or deranged may not enter.” This is a very satisfying solution; whereby the words אל יבן, incorporated in L. 15 on the basis of 4Q266, function as a catch phrase.<sup>55</sup> Because אל יבוא also occurs in L. 16-17 the words establish a connection between the general disqualification rule headed by mental disabilities in CD 15:15-17, and the passage about the examination by the overseer and the exclusion of the משוגע אל יבן. This makes a strong case for the idea that the prohibition does not start with the words משוגע אל יבן, but with וכול פתי.

### 3.2.2 Exclusion from the עדת in CD 15:17

The centre of attention in the disqualification rule in CD 15:15-17 is the word עדת, “congregation” in CD 15:17. Knowing to what situation the noun refers sheds light on the scope of the disqualification. From the ruling itself it cannot be gathered from what exactly the groups of people are excluded, because it is unclear to what the word עדת refers to. It appears that the understanding of עדת in CD 15:17 depends, to a large extent, on the interpretation of the exclusion rule’s broader context. Yet, this leads to another problem because the entire passage in which the rule is situated is multi-interpretable.

This paragraph explores the most likely meaning of the word עדת in the exclusion rule and reviews established opinions. Because the meaning of the word depends on the broader context, it also investigates the topics discussed in the larger literary section in which the exclusion rule appears (CD 15:5b-16:6a). The end of the paragraph offers the most likely answer to the question of what the listed persons in CD 15:17 are excluded from in which particular situation.

#### 3.2.2.1 *The Identification of עדת as Reference to the Entire Community*

The rule in CD 15:15-17 that excludes certain classes of people from the עדת is situated at the end of a literary section (CD 15:5b-16:6a) that starts with regulations for the “entry into the covenant” (CD 15:5b) and ends with a reference to the *Book of Jubilees* (CD 16:2b-6a). There are two dominant views on the interpretation of עדת in CD 15:17. Some scholars advocate the

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<sup>55</sup> See Hempel, *The Laws*, 85.

first view that  $\eta\eta\eta$  must be understood as the entire community.<sup>56</sup> This view is based on the covenantal context in which the noun appears. Józef Milik made the first reference to the prohibition in CD 15:15-17, before the official publication of the 4QD fragments. With the help of 4Q266 f. 8i:7-9 he could provide a restored translation of CD 15:15-17 to point out that candidates who wanted to belong to the covenant were excluded if they had “certain moral of physical defects.”<sup>57</sup> Forkman argued along similar lines of reasoning.<sup>58</sup> According to him, fools, madmen, simpletons, imbeciles, blind, maimed, lame, deaf and minors could not become members of the religious community.<sup>59</sup> Forkman pointed out that the ideas of exclusion reflected in the Qumran Scrolls are based upon a holiness motive that results in an extreme hierarchically constructed community. The hierarchical construction of the community wanted that “[e]ach member was examined with reference to his knowledge and his deeds and then placed in his definite place in strict order of rank.”<sup>60</sup> Charlotte Hempel is of the opinion that the entire section in CD 15:15b-16:6a – including the exclusion rule - must be read in the context of entry into the covenant community.<sup>61</sup> Hempel further states that general exclusion rule in CD 15: 15b-17a was a widely circulating tradition incorporated in the specific context of admission procedures in the *Damascus Document*. According to her, the idea of entry into congregation can be equalled with entry into the covenant community.<sup>62</sup>

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<sup>56</sup> See e.g. Milik, *Ten Years of Discovery*, 114, Göran Forkman, *The Limits of the Religious Community. Expulsion from the Religious Community Within the Qumran Sect, Within Rabbinic Judaism, and Within Primitive Christianity*. (ConBNT 5; Lund: CWK Gleerup, 1972), 63, and especially 76-77; Michael Newton, *The Concept of Purity at Qumran and the Letters of Paul* (Cambridge: Cambridge University Press, 1985), 50; Florentino García Martínez and Julio Trebolle Barrera, *The People of the Dead Sea Scrolls* (Leiden: Brill, 1995), 156; Hempel, “Community Structures in the Dead Sea Scrolls: Admission, Organization, Disciplinary Procedures,” in Peter W. Flint *et al.* (eds.), *The Dead Sea Scrolls after Fifty Years: A Comprehensive Assessment* (Vol. II; Leiden [etc.]: Brill, 1999), 70-73; Idem, *The Laws*, 76.

<sup>57</sup> Milik, *Ten Years of Discovery*, 114.

<sup>58</sup> Göran Forkman, *Expulsion from the Religious Community*, 76.

<sup>59</sup> Forkman, *Expulsion from the Religious Community*, 76.

<sup>60</sup> Forkman, *Expulsion from the Religious Community*, 77.

<sup>61</sup> Hempel, *The Laws*, 76.

<sup>62</sup> She explains in a note (Hempel, *The Laws*, 86, n. 51): “Both Davidson and Schiffman understand the present passage to restrict access to the communal assembly rather than membership in general. It seems to me that now we can draw on 4QD<sup>a</sup>’s text in full that the exclusion passage as it now stands applies to membership of the covenant community.”

Two objections can be made against the first view that identifies עדה with the entire community. The first objection is that other passages in the *Damascus Document* presuppose the presence within the community of the categories of persons excluded from the congregation in CD 15:15b-17a. For instance, CD 13:6 speaks about a simple (פתי) priest and CD 14: 14-16 refers to a young boy (נער) and an afflicted person (איש אשר ינוגע). These are clearly references to persons who are members of the community. Consequently, it is unlikely to assume that עדה in CD 15:17, and the community behind the *Damascus Document* are identical.

A second doubt about עדה referring to the entire community is raised by a semantical analysis of the word עדה in the *Damascus Document*, which is compared to the use of the word יחד in the *Rule of the Community*. In his article on the organization of the communities behind the *Rule of the Community* and the *Damascus Document*, E. Regev argued that the “Damascus Covenant self-designation is “congregation”(עדה).”<sup>63</sup> This would parallel the self-designation of the *Rule of Community* as “yahad” (יחד). It may be true that יחד is the self-designation of the *Rule of the Community*, but the identification of the whole group behind the *Damascus Document* as עדה is not as straightforward. In the *Damascus Document* the term עדה is used to designate various groups in various circumstances.<sup>64</sup> The context in which the word appears determines its interpretation. In some passages the meaning is clear, while in other passages the interpretation of the noun remains uncertain. Sometimes, for example, עדה is used to denote the opponents of the group behind the *Damascus Document*. CD 1:12, for example, speaks about the עדת בגדים, “the congregation of traitors.” Also in CD 2:1 and 3:9 עדה must be read in the same negative context as a reference to the enemies of D. From CD 8:13 (// 19:26) the conclusion can be drawn that עדה is a congregation towards which God has turned his wrath. In other cases עדה is used to denote the eschatological congregation. In CD 7:20, for example, עדה is part of the eschatological title נשיא העדה, “prince of the congregation,” a royal leader at the end of days.<sup>65</sup> The term עדה also points

<sup>63</sup>Regev, “The *Yahad* and the *Damascus Covenant*, 256. A few years earlier, Cross stated that in the עדה the various settlements of the *Damascus Document*, designated as מחנות, “camps,” are united.

<sup>64</sup>עדה is attested in CD 1:12; 2:1; 3:9; 7:20; 8:13; 10:4.5.8; 13:10.11.13; 14:10; 15:17; 19:26; 20:2.3; 4Q266 f. 2i:16; f. 2ii:1; f. 2iii:6; f. 3iii:21; f. 8i:9; f. 8iii:4.7; f. 10i:3.4; 4Q267 f. 5iii:6; f. 9iv:7.8.10; 4Q269 f. 2:3; f. 5:4; 4Q270 f. 6ii:9; f. 6iv:15.16.18; f. 7i:14.15.

<sup>65</sup>This title appears in at least four other documents: 1QS<sup>b</sup> 5:20-29, 4Q161 f. 2-6 ii:19, 1QM 5:1, and 4Q285 5:4; 6:2.6.10. See James VanderKam, “Messianism in the Scrolls,” in:



to the group of persons that belong to the *Damascus Document*. Clear examples are to be found in CD 10:4-8; 13:10-13; 14:10 and 15:17.

From these examples can be gathered that it is not always clear if the entire community is meant, or whether it points to a particular group within the wider social community of the *Damascus Document*. The context in which the term is used can sometimes illuminate how this term has to be interpreted. In any case, the section above has shown that עדה is not *always* as a self-designation of the group behind the *Damascus Document*.

Regev's statement that עדה in the *Damascus Document* and יחד in the *Rule of the Community* can be equalled is further counterbalanced by the observation that the use of the word עדה in the former text and that of יחד in the latter differs remarkably. Contrary to עדה in the *Damascus Document*, there are no instances in which יחד bears negative connotations. From the scarce use of עדה in the *Rule of the Community*, it can be tentatively concluded that it is applied in the same way as in the *Damascus Document*. In the *Rule of the Community* the noun יחד exclusively bears positive qualities and is always the self-designation of the group. The noun is connected to אל, "God" (1QS 1:12; 2:22), אמת, "truth" (1QS 2:24.26), ברית, "covenant" (1QS 5:5; 8:16), or קודש, "holiness" (1QS 9:2.6). These observations make it very unlikely to conclude that the terms יחד in the *Rule of the Community* and עדה in the *Damascus Document* can be equalled.

The word עדה only occurs two times in the *Rule of the Community*. In 1QS 5:1-2 (// 4Q256 9:2; 4Q258 1:2) the word is used in a negative context because עדה is connected to אנשי העול, "the men of injustice." The second occurrence of the word in the *Rule of the Community* only twenty lines further (1QS 5:20) is placed in the context of entering the covenant. In this line, the word עדה is used in the expression עדת קודש, "the congregation of holiness." Because עדה in the *Rule of the Community* is used both positively and negatively, it can be tentatively concluded that the noun is applied in the same way as in the *Damascus Document*.

It is fair to ask whether the *Damascus Document* uses term as self-designation that can indeed be paralleled with the use of the term יחד in the *Rule of the Community*. The discussion above has shown that the noun עדה does not deserve consideration as a parallel. Instead, the *Damascus Document* uses the term מחנה, "camp," or its plural מחנות, "camps," as self-

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Eugene Ulrich and James VanderKam (eds.), *The Community of the Renewed Covenant. The Notre Dame Symposium on the Dead Sea Scrolls* (CJAS 10; Notre Dame, IN: University of Notre Dame Press, 1994), 218-219.

designation, which is very similar to the use of the term יְהָדָה in the *Rule of the Community*.<sup>66</sup>

### 3.2.2.2 עֲדָה as Reference to an Aspect of Community Life

Others believe that the word עֲדָה refers to an assembly of community members from which the listed persons are excluded.<sup>67</sup> Schiffman is of the opinion that the exclusion is not from the community, but from the assembly of the community. His idea is based on parallel exclusion in the *Rule of the Congregation* (1QSa 2:3-11) of persons with disabilities.<sup>68</sup> Davidson also believes that CD 15:15-17 forbids access to the communal assembly which he defines as some particular aspect or aspects of the life in the community.<sup>69</sup> In his opinion, the assembly is held for worship or decision-making.<sup>70</sup>

Wassen states that the passage in the *Damascus Document* about entrance into the community must be understood as a formal initiation into the community.<sup>71</sup> She discerns different levels of membership within the specific, organized community reflected in the *Damascus Document*. According to Wassen, the community consists of persons who have full membership status and of those who lack full membership status. Initiation described in CD 15:5-15 results in full membership of the community. A fully-fledged member has two privileges: taking the oath of the covenant and attending communal meetings. From this it can be concluded that the exclusion of the categories of persons mentioned in CD 15:15-17 must be understood in this light: the excluded persons lack full membership status

<sup>66</sup> See Collins, "The Yahad and 'the Qumran Community'," 86; Metso, "Whom Does the Term Yahad Identify?," 213

<sup>67</sup> See e.g., Schiffman, *The Eschatological Community*, 48; Idem, "Purity and Perfection: Exclusion from the Council of the Community," in J. Amitai (ed.), *Biblical Archaeology Today: Proceedings of the International Congress on Biblical Archaeology, Jerusalem 1984* (Jerusalem: Israel Exploration Society/Israel Academy of Sciences and Humanities in cooperation with ASOR, 1985), 373-89; Aharon Shemesh, "The Holy Angels are in Their Council: The Exclusion of Deformed Persons From Holy Places in Qumranic and Rabbinic Literature," *DSD* 4.2 (1997), 180; Davidson, *Angels at Qumran*, 186; Cecilia Wassen, *Women in the Damascus Document* (ACBI 21: Atlanta: Society of Biblical Literature, 2005), 131-156.

<sup>68</sup> Schiffman, *The Eschatological Community*, 48.

<sup>69</sup> Davidson (*Angels at Qumran*, 186) states that the "community" must be taken to mean only the community in Qumran.

<sup>70</sup> Davidson, *Angels at Qumran*, 186.

<sup>71</sup> Wassen, *Women*, 131-156.

and may not enter the congregation, that is, a communal meeting.<sup>72</sup> The precise character of the congregation mentioned in CD 15:17 is not made explicit, but according to Wassen it is not limited to the congregation that gathered for the initiation.<sup>73</sup> Important is that, although the categories of persons mentioned in CD 15:15-17 cannot attend the initiation ritual, they are indeed members of the community, although be it members with lower status. This can be concluded from evidence within the *Damascus Document* that these people were living in the community.<sup>74</sup> Therefore, Wassen concludes that “(...) children and those who are physically and mentally disabled belong to the communities as members but not as full members.”<sup>75</sup>

Wassen’s argumentation about different levels of membership is very attractive. Like Davidson and Schiffman, she does justice to the observation that עדה cannot refer to the entire community. However, neither Schiffman and Davidson, nor Wassen point out from what situation *exactly* the listed categories of people are excluded. They think that the exclusion applied to various circumstances. The idea that the exclusion is from one particular aspect of life in the community is attractive, but it still needs to be investigated what particular aspect this is.

### 3.2.3 Determining Community Structures

The determination of the organizational structures of the communities behind the various Qumran texts has been problematic, not in the least because the three most important source texts for this aim have undergone extensive textual reworking. As a result it is possible that technical terms changed their meaning or are used in different contexts. Questions about the identity and organizational structures of the groups behind the Qumran scrolls have recently been heavily debated. Especially the identification of the יחד, “community,” and the עצה היחד, “council of the community,” in the *Rule of the Community* and its implications for the relationship with the

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<sup>72</sup> See Cecilia Wassen, *Women*, 131-132, 135-136.

<sup>73</sup> Wassen, *Women*, 146. 150.151.155

<sup>74</sup> Wassen, *Women*, 145-146. See also p. 146, n. 52.

<sup>75</sup> Wassen, *Women*, 155.

*Damascus Document* and the literary history of the scrolls, gained a lot of scholarly attention.<sup>76</sup>

The preceding section showed that the regulation excluding disabled persons from the *עדה* raised questions as to whether *עדה* in the *Damascus Document* referred to the entire community or to an aspect of community life. Although the term *מחנה* is the common self-designation throughout the document, it remains necessary to evaluate the term in its context, because it is not safe to assume that the texts unfold a coherent organizational structure that is consistently maintained. From above, however, can be concluded that there are several indications that *עדה* cannot be equalled with the community as a whole. *עדה* is an aspect of community life, a situation that takes place within the *מחנה*, “camp.”

A similar discussion, although not identical, touches upon the relationship between the self-designation *יהד*, and the related term *עצת היחד*, in the *Rule of the Community*. Although they disagree over the identification of the group behind the *יהד*,<sup>77</sup> most scholars to date agree that the two terms *יהד* and *עצת היחד* can be regarded as synonymous.<sup>78</sup> Eyal Regev, however, does not agree with this commonly held view.<sup>79</sup> In his opinion, the council of the community is a sub-section within the larger community.

<sup>76</sup> See Regev, “The *Yahad* and the *Damascus Covenant*,” 233-262; Collins, “The *Yahad* and the ‘Qumran Community’,” 81-96; Hempel, “Community Structures in the Dead Sea Scrolls: Admission, Organization, Disciplinary Procedures,” in: Peter W. Flint *et al.* (eds.), *The Dead Sea Scrolls After Fifty Years: A Comprehensive Assessment* (Vol. II; Leiden [etc.]: Brill, 1999), 67-92 and Idem “*Maskil(im)* and *Rabbim*,” 133-156; Metso, “Whom does the term *Yahad* Identify?,” 215-235

<sup>77</sup> Stegemann, Regev, and Collins are of the opinion that *יהד* is an umbrella term for the smaller Essene communities. See H. Stegemann, “The Qumran Essenes: Local Members of the Main Jewish Union in the Late Second Temple Times,” in: J. Treballe Barrera and L. Vegas Montaner (eds.), *The Madrid Qumran Congress. Proceedings of the International Congress on the Dead Sea Scrolls, Madrid, 18-21 March 1991* (Vol. I; Leiden [etc.]: Brill, 1992), 83-166; Regev, “The *Yahad* and the *Damascus Covenant*,” 233-262; Collins, “The *Yahad* and the ‘Qumran Community’,” 86. Cross, Metso and Hempel, on the other hand, believe that *יהד* can be identified as with a large Essene settlement, such as the one in Qumran. See F.M. Cross, *The Ancient Library of Qumran* (3<sup>rd</sup> ed. Minneapolis: Fortress, 1995), 71; Metso, “Whom Does the Term *Yahad* Identify,” 234.

<sup>78</sup> See Cross, *The Ancient Library*, 71; Hempel, “Interpretative Authority in the Community Rule Tradition,” *DSD* 10.1 (2004), 75; Metso, “Whom Does the Term *Yahad* Identify,” 224, n. 33; Collins, “The *Yahad* and the ‘Qumran Community’,” 88 does not identify the *יהד* with the settlement in Qumran, but he does regard the terms *יהד* and *עצת היחד* as synonymous.

<sup>79</sup> Regev, “The *Yahad* and the *Damascus Covenant*,” 233-262, esp. 235-240.

There is an important difference in the discussion about the relationship between *יחד* and *עצת היחד* in the *Rule of the Community* on the one hand, and between *עדה* and *מהמה* in the *Damascus Document* on the other. In the former document the two can be regarded as synonymous or at least as one being a smaller unit of the other. In the *Damascus Document*, however, the difference between *עדה* and *מחנה* is not a matter of two social structures on a different step of the same ladder. As was already discussed above, *עדה* is an aspect of community *life*, and not part of the community structure or hierarchy. It is an actual situation, rather than an organizational unit.

It appears that the character of *עדה* in the *Damascus Document* can much better be compared with the terminology used in the *Rule of the Congregation* (1QSa). As was shown in a previous chapter, the *Rule of the Congregation* contains a rule that excludes persons with disabilities from the community assembly (1QSa 2:3-9). Both texts contain a shared tradition that excludes certain categories of people because of the presence of holy angels.<sup>80</sup> Moreover, the setting of the exclusion rule in 1QSa overlaps with that of the *Damascus Document*: in both documents, the disabled persons are excluded from a community gathering. Yet, the assembly from which people are excluded in the *Rule of the Congregation* is held for various purposes. This contrasts with the situation in the *Damascus Document*, where the gathering of people is for a specific occasion, as is shown in the next paragraph.

The traces of a shared tradition in both documents serve to support our interpretation of the word *עדה* in the *Damascus Document*. The *Rule of the Congregation* parallels a variety of terms that in the *Rule of the Community* refer to different social structures. One of these terms is *עדה*, which in the context of the exclusion rule appears in 1QSa 1:28; 2:5.7.8.10. The term is clearly paralleled with terms that also refer to a gathering in this context: *קהל* (1QSa 1:25; 2:4), *עצת (ה)יחד* (1QSa 1:25.27; 2:2.9). Contrary to the use of the expression *עצת היחד* in the *Rule of the Community*, the *Rule of the Congregation* does not use *עצת היחד* as a reference to the community as a whole or a sub-division of the community. In the context of the *Rule of the Community* the term clearly refers to an actual gathering of people.<sup>81</sup> It is

<sup>80</sup> The same tradition is also found in the *War Scroll* (1QM 7:3b-8).

<sup>81</sup> See also Barthélemy, DJD 1, 116.

used parallel to עדה, in a similar way in which the term can be interpreted in the *Damascus Document*.

### 3.2.4 The Context of the Exclusion Rule: Celebrating the Feast of Weeks

It was already said that the exclusion is not from the entire community, but from a certain aspect of the community. The regulation applies to a gathering of people for some reason. Yet, the exclusion rule does not shed light on the specific occasion for the gathering. In order to determine to what situation exactly the exclusion rule in CD 15:17 refers, it is needed to read the rule in its proper context. Because of the statement about בוא בברית, “entering the covenant” heading the passage in CD 15:5b-16:6a, Hempel read the entire pericope as a description of “the entry into the movement that lies behind the communal legislations of the Laws of the Damascus Document by swearing the oath of the covenant.”<sup>82</sup> As already said, Charlotte Hempel’s identification of עדה as the whole community cannot be maintained, but she was right in reading the rule in the context of “entering the covenant.” The occupation with the covenant is reflected by the frequent statements about the ברית, “covenant” and the תורה משה, “law of Moses,” to which people are urged to return (שוב) by swearing an oath (שבועה). The occurrences of these terms in the passage under consideration (CD 15:5b-16:6a) and the verbs and prepositions with which they are used are illustrated in the following chart:

(ה) ברית	בוא (qal)	ב	15:5
			15:9; 16.1
שבועת הברית	קום (hif)		15:6
	פקד (qal)	ב	15:8
תורת משה	שוב (qal)	על	15:9.12; 16:1-2; 4-5

The chart above shows, that besides the significance of ברית, “covenant,” the idea of returning to the law of Moses and the swearing of an oath is also very important. It is therefore no surprise that scholars have thus far interpreted

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<sup>82</sup> Hempel, *The Laws*, 76.

the passage as a reference to the initiation ritual.<sup>83</sup> However, the recurring mentioning of the words “covenant,” “oath” and the “law of Moses,” can also point in another direction, which has already been briefly mentioned by Wassen. Although Wassen reads the entire passage as a section about the initiation of new members she notes that this initiation “(...) was part of an annual renewal of the covenant ceremony among the Essenes, which included both the candidates taking the oath and a renewal ceremony whereby members renewed their commitment to the covenant by an oath. This ceremony was probably celebrated at the *Feast of Weeks*, Shavuot.”<sup>84</sup>

I think that the passage under consideration does not solely describe the initiation rite, but is much more a description of activities that are to be observed during the celebration of the *Feast of Weeks*. The passage in CD 15:5b-16:6a is influenced by the *Book of Jubilees*. The clearest indication of this idea is the concluding section in CD 16:2b-6a that contains a reference to the *Book of Jubilees*. This section has thus far been regarded as somewhat bewildering, because the precise relation with the preceding is unclear.<sup>85</sup> However, the new interpretation of the entire section also puts the initial confusing reference to the *Book of Jubilees* into perspective. Moreover, the ideology of the *Book of Jubilees* pervades the preceding text of the pericope.

It has already been noted that for Charlotte Hempel, the multiple references to בוא ברית, “entering the covenant” in CD 15:5b-16:6a were reason to assume that the pericope contained rules for new members when they were admitted into the community. Anyone simple, errant, blind, limping, lame, deaf or an under-age boy could not be allowed to join the community. Yet, there are several indications that the regulations in this pericope are concerned with the celebration of the *Feast of Weeks*. One of the aspects of the *Feast of Weeks* may have been the entry of new persons into that which the text calls “the covenant,” although this cannot be equalled with the entire social community of the group behind the *Damascus Document*.<sup>86</sup>

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<sup>83</sup> The interpretation of the entire section as the initiation ritual is also suggested by two sections about entrance into the community in the *Rule of the Community* (1QS 5:7c-9a and 1QS 6:13b-23). See a.o.: Hempel, “Community Structures,” 70-73.

<sup>84</sup> Wassen, *Women*, 136

<sup>85</sup> Hempel, *The Laws*, 86.

<sup>86</sup> This idea is also posed by Wassen, *Women*, 136.

The suggestion to interpret CD 15:5a-16:6a as a discussion about the *Feast of Weeks* may be reinforced by the unexpected passage about the book of Jubilees at the end of the pericope (CD 16:2b-6a).<sup>87</sup>

וּפְרוּשׁ קִצִּיהֶם לְעוֹרוֹן	2b
יִשְׂרָאֵל מְכַל אֱלֹהֵי הַנָּה הוּא מְדוּקְדֵּק עַל סֵפֶר מַחֲלָקוֹת הָעֵתִים	3
לְיֹבְלֵיהֶם וּבִשְׁבוּעוֹתֵיהֶם וּבְיוֹם אֲשֶׁר יָקוּם הָאִישׁ עַל נַפְשׁוֹ לָשׁוּב	4
אֶל תּוֹרַת מֹשֶׁה יִסּוֹר מִלִּשְׁךְ הַמִּשְׁתַּמָּה מֵאַחֲרָיו אִם יָקִים אֶת דְּבָרָיו	5
עַל כֵּן נִימּוֹל {ב} אֲבִרָהֶם בְּיוֹם דַּעְתּוֹ	6a

“(2b) And the exact interpretation of their ages about the blindness (3) of Israel in all these matters, behold it is defined in <<the book of the divisions of the periods (4a) according to their jubilees and their weeks>>. And on the day on which one has imposed upon himself to return (5) to the law of Moses, the angel Mastema will turn aside from following him, should he keep his words. (6) And this is why Abraham circumcised himself on the day of his knowledge”

Scholars tend to find the reference to the *Book of Jubilees* disruptive and of secondary provenance.<sup>88</sup> According to Hempel, the catchword מְדוּקְדֵּק is the only connection to what precedes. There are, however, more elements that establish a connection between the two passages. Before these elements are discussed, a short introduction to the *Feast of Weeks* in the *Book of Jubilees* follows below.

### 3.2.4.1 *The Feast of Weeks in the Book of Jubilees*

שבועות, or the “*Feast of Weeks*” marks the end of the seven-week period after Pesach.<sup>89</sup> It is the second of three pilgrim festivals of which Pesach is the first and the Boot festival the last.<sup>90</sup> All three festivals are closely related to

<sup>87</sup> For the text and translation of CD 16:2b-6a see: García Martínez and Tigchelaar, *DSSSE I*, 564-565.

<sup>88</sup> L. Ginzberg, *An Unknwon Jewish Sect*, 94.177; P. von der Osten-Sacken, *Gott und Belial. Traditionsgeschichtliche Untersuchungen zum Dualismus in den Texten aus Qumran* (Göttingen: Vandenhoeck&Ruprecht, 1969), 198; Baumgarten and Schwartz, “Damascus Document (CD),” 21.39, n.132; Hempel, *The Laws*, 86-89.

<sup>89</sup> See Exod 34:22; Num 28:26; Deut 16:10.16.

<sup>90</sup> See T. Schlatter, “Wochenfest,” in: Idem (ed.), *Calwer Bibellexicon* (Stuttgart: Calwer Verlag, 1959), 1405; B. Noack, “The Day of Pentecost in Jubilees, Qumran and Acts,” *ASTI* 1



the harvest and seasons and initially they were purely harvest festivals. The initial meaning of the festival is expressed by two other names for the *Feast of Weeks*: חג הקציר, the “Harvest Festival” and יום הבכורים, the “Day of the First Fruit.”<sup>91</sup> Since the time of Ezra the festivals got another meaning than harvest festivals.<sup>92</sup> From that moment on, the festival became a memorial of great events from Israel’s past.<sup>93</sup> Pesach was connected to the liberation of Israel from the slavery in Egypt, the Festival of Boots commemorates the forty years of wandering of the people through the desert. The *Feast of Weeks* was eventually connected to the revelation of the law on Mount Sinai. The new meaning of Pesach and the Festival of Boots is clearly explained in the Hebrew Bible, but there is no clear defined passage in the scriptures that explains a new meaning of the *Feast of Weeks*.<sup>94</sup>

Most likely the shift from a pure harvest festival to a festival that commemorates the giving of the Torah is based on two passages in the Hebrew Bible. The first passage is 2 Chron 15:8-15 which states that in the third month of the fifteenth year of king Asa’s reign the people of Israel made a covenant with the Lord accompanied by an oath and sacrifices. According to the Targum on Chronicles this covenant ceremony took place on the *Feast of Weeks*.<sup>95</sup> The other passage is Exod 19:1. This text states that it was in the third month that the people of Israel entered the desert of Sinai.

There was discussion about the exact date on which the *Feast of Weeks* should be celebrated in ancient Judaism.<sup>96</sup> Both passages from the Hebrew Bible speak about the third month. Prescriptions about the celebrating of the festival can be found in Lev 23:15f. This text states that the festival should be held seven weeks after the Sabbath. This must be a Sabbath during Pesach, but it is not clear which Sabbath around Pesach is meant to establish a date for the *Feast of Weeks*. For determining the date on which the *Feast of Weeks* is celebrated, the Sabbath on the first day of

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(1962), 82; J.C. VanderKam, “Festival of Weeks,” in: D.N. Freedman (ed.), *The Anchor Bible Dictionary* (Volume 6; New York: Doubleday, 1992), 895-97; W. Eiss, “Das Wochenfest im Jubiläenbuch und im antiken Judentum,” in: M. Albani *et al.* (eds.), *Studies in the Book of Jubilees* (TSAJ 65; Tübingen: Mohr/Siebeck, 1997), 165.

<sup>91</sup> The term חג הקציר is contained in Exod 23:16 and the term יום הבכורים is contained in Num 28:26.

<sup>92</sup> Eiss, “Wochenfest,” 171.

<sup>93</sup> Noack, “Pentecost,” 80.

<sup>94</sup> See for the references to Pesach and the Feast of Boots Exod 12-13 and Lev 23:42-43 respectively.

<sup>95</sup> VanderKam, “Festival of Weeks,” 896.

<sup>96</sup> Eiss, “Wochenfest,” 166.

Pesach is taken, which is the fifteenth of Nisan. From the sixteenth of Nisan seven full weeks were counted, so that the *Feast of Weeks* was celebrated on the fiftieth day after Pesach. Because the month varied in length the day on which the *Feast of Weeks* was celebrated differed: it was held on the fifth, sixth or seventh Sivan.<sup>97</sup>

The reason to see the reference to the *Book of Jubilees* in the *Damascus Document* as an indication that the preceding text speaks about the *Feast of Weeks*, is that the *Feast of Weeks* has a very important place in the *Book of Jubilees*.<sup>98</sup> This feast appears to be more important than Pesach and the Feast of Boots. This is a striking phenomenon, since the mainstream Judaism of that time assigned a minor role to the *Feast of Weeks* because Pesach was the most important feast. The importance of the feast in the *Book of Jubilees* is stressed in Jub 6:17-18. This passage states that the regulations for the *Feast of Weeks* are written down on heavenly tablets and that the feast had already been celebrated in heaven since the beginning of creation.

In the *Book of Jubilees* the *Feast of Weeks* is celebrated on the fifteenth day of the third month. This date is not prescribed very clearly. Jub 6:10b.11.17.20.22 say that the feast was celebrated in the third month and Jub 15:1 states that the feast was held “in the middle of the month.” From Jub 44:1-5 can be gathered that the date for the *Feast of Weeks* must be the fifteenth day of the third month. In this passage, Jacob sacrificed to the Lord on the seventh day of the third month. After this sacrifice he waited seven days and then celebrated the feast of Harvest (= *Feast of Weeks*). The day after, on the sixteenth day of the third month the Lord appeared to Jacob. Because the calendar in the *Book of Jubilees* is the 364- day luni-solar calendar, the *Feast of Weeks* is celebrated on the same day every year. This day is a Sunday. The Qumran community followed the same calendar and it may therefore be assumed that the Qumranites also celebrated the *Feast of Weeks* on the fifteenth day of the third month.

The swearing of an oath is a very important feature in passages in the *Book of Jubilees* that have to do with the *Feast of Weeks* and the making of a covenant. This observation led to the idea that there was a word play in

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<sup>97</sup> Eiss, “Wochenfest,” 167.

<sup>98</sup> See the discussion by J.T.A.G.M. van Ruiten in: Idem, *Primaeval History Interpreted. The Rewriting of Genesis 1-11 in the Book of Jubilees* (JSJSup 66; Leiden [etc.]: Brill, 2000), 247-250; Noack, “Pentecost,” 82; Eiss, “Wochenfest,” 165.

the name of the feast. Instead of שבועות, “weeks,” one could also read שבועות, “oaths.”<sup>99</sup>

The theological motivation for the *Feast of Weeks* in Jubilees 6 is the covenant that Noah made with God. Noah and his sons swear an oath that they will not consume blood. This oath becomes the sign of the covenant that Noah made with God. Jubilees 6:18 parallels the negligence of this promise with neglecting the *Feast of Weeks*. The same is true of the covenant between Abraham and God in Jubilees 15. The sign of the covenant is circumcision in Jub 15:26.28. The negligence of circumcision parallels the negligence of the *Feast of Weeks*. Moses also makes a covenant with God, accompanied by an oath. Thus, the concepts “covenant,” “oath,” and “*Feast of Weeks*” are closely related in the *Book of Jubilees*. Jub 16:18.c.19d say that the feast is being forgotten time after time and Jub 6:19e says that the Lord will renew the covenant through Moses. This covenant renewal had been necessary because the people keep on neglecting the signs of the covenant. Thus, the *Feast of Weeks* not only confirms the covenant, but also renews the covenant year after year.

An important element that can be concluded from the *Book of Jubilees* is the idea that the making of the covenant between God and the people of Israel is more important than the revelation of the law. According to Jub 1:1 Moses ascended Mount Sinai to collect the stone tablets on the sixteenth day of the third month. The making of the covenant occurred, according to the *Book of Jubilees*, on the fifteenth day, when Moses met the Lord. Jubilees says that the *Feast of Weeks* must be celebrated on the fifteenth day of the third month. This was not the day on which the law was revealed, but the day on which the covenant was made. The making of the covenant precedes the giving of the law. Therefore, the *Feast of Weeks* is not the feast of the law, but much more the feast of the covenant and the covenant renewal.

The combination of the *Feast of Weeks* and covenant in the book of Jubilees is rooted in the priestly tradition.<sup>100</sup> 2 Chron 15:9ff. recounts of a great assembly that gathered in the middle of the third month during the reign of king Asa. During this assembly the persons who are present make a covenant with the Lord that they would serve him and that every one who refuses to do this will be put to death. This covenant is accompanied by an

<sup>99</sup> See G.H. Dalman, *Arbeit und Sitte in Palästina* (Band II; Gütersloh: Bertelsmann, 1932), 462.

<sup>100</sup> Eiss, “Wochenfest,” 172.

oath. The Targum on 1 and 2 Chronicles connect this passage with the *Feast of Weeks*, but according to VanderKam, this connection might go back to older traditions.

### 3.2.4.2 *The Feast of Weeks in the Damascus Document*

Three important observations speak in favour of reading of CD 15:5b-16:6a as a reference to the celebration *Feast of Weeks*. The first observation concerns the vocabulary of CD 15:5b-16:6a that shares many resemblances with the passages in the *Book of Jubilees* about the *Feast of Weeks*. Although there is not much known about details around the celebration of the *Feast of Weeks* in biblical or Qumranic literature, it is fair to assume that the rituals related to the *Feast of Weeks* contained the following elements: initiation of new members and vows for covenant renewal.<sup>101</sup> These two elements are also reflected in CD 15:5-16:6. In the preceding was stated that the expressions *שוב על התרת משה*, “to return to the law of Moses,” and *שבועת הברית*, “oath of the covenant,” and the noun *ברית*, “covenant,” play a crucial role in the argumentation of the passage. The same terms appear in the passage about the foundation of the celebration of the *Feast of Weeks* in chapter six of the *Book of Jubilees* and the insistence on remembering the renewal of the Law of Moses. As was stated above, the *Book of Jubilees* closely linked the concepts “covenant” and “oath” to the *Feast of Weeks*.

The second observation is the reference to the circumcision of Abraham in CD 16:6. The text reads: *על כן נימול אברהם ביום דעתו*, “And this is why Abraham circumcised himself on the day of his knowledge.” From Jub. 14:1 and 15:1 can be drawn that God made a covenant with Abraham on the first day of the *Feast of Weeks*. Jub. 15:28 summons Abraham to command the Israelites to keep circumcision as a sign of the covenant. The covenant with the patriarchs and the Law of Moses are of vital importance for the group behind the *Damascus Document*.

The third observation to read CD 15:5b-16:6a in the perspective of the *Feast of Weeks* concerns a reference in 4Q266 f. 11:16-18 to an assembly in the third month during which transgressors of the Torah are cursed. This passage is not preserved in the Geniza text of the *Damascus Document*. The text reads: *וכל [יושבי] המחנות יקהלו בהודש השלישי ואררו את הנוטה ימין* [ושמאול מן ה]תורה, “And all [those who dwell in] the camps will assemble

<sup>101</sup> See Wassen, *Women*, 131-132.

in the third month and will curse whoever tends to the right [or the left of the] law.”<sup>102</sup> The aspect of covenant renewal - which is one of the features of the *Feast of Weeks* - means a renewal of the promise to keep the Torah. From this perspective it is very sensible that those who do not adhere to the Law of Moses are cursed. From references to a covenant renewal festival in 1QS 1:16-2:25a can be gathered that the liturgy contained blessings and curses.<sup>103</sup>

### 3.3 Disqualification of Blemished Priests

Before examining the social implications for persons with disabilities in the *Damascus Document*, two other brief references to disability in the document are investigated. The first passage also has a disqualifying character, because it forbids priests with speaking disabilities to read from the Torah. The second passage counterbalances the disqualifying tone with respect to the celebration of the *Feast of Weeks* and the reading of the Torah. This passage demands social support for persons who are afflicted.

#### 3.3.1 The Manuscripts

Three manuscripts of the *Damascus Document* found in Cave 4 (4Q266 f. 5ii:1-4; 4Q267 f. 5iii:1-6; 4Q273 f. 2:1-2; f. 4i:5-11) contain rules disqualifying various categories of priests. These regulations are not contained in the Geniza text (CD).

##### 3.3.1.1 4Q266 f. 5 ii 1-4<sup>104</sup>

The regulation that excludes priests who have problems speaking is inscribed on 4Q266 f. 5 ii 1-4. The upper part and the left margin of the column are severely damaged.

] ין וכול א[ 1  
] לא פצל דברו להשמיע 2  
] לממה ישוג בדבר מות 3

<sup>102</sup> For the text and translation see: García Martínez and Tigchelaar, *DSSE* 1, 596-597.

<sup>103</sup> See Matthias Delcor, “Das Bundesfest in Qumran und das Pfingstfest,” in: Idem, *Religion d’Israël et Proche Orient Ancien. Des Phéniciens aux Esséniens* (Leiden: E.J. Brill, 1976), 288.; Eiss, “Das Wochenfest im Jubiläenbuch,” 174.

<sup>104</sup> See Baumgarten, *DJD* 18, 49-51 and *PAM* 43.271.

4 [ אחו הכהנים בעבודה ] ל]

*Textual notes:*

L. 1 [ ין : Although the character is damaged, the most likely reconstruction for the stroke after the long vacat on the right of the column is a י.

L. 2 לא פצל: The reconstruction of the word ולא is based on a few traces of ink that survived on the manuscript. This reconstruction is confirmed by 4Q267 f. 5iii:4, which reads ולא פצל in the parallel text.

L. 3 למה: A stroke right above the מ indicates that a ל can be reconstructed before —מה.

L. 4 אחו: Baumgarten explained the defective spelling of אחו as a scribal error.<sup>105</sup>

L. 4 בעבודה: Due to a hole in the leather, only parts at the bottom of the characters ב and ע can be discerned.

3.3.1.2 4Q267 f. 5 iii 1-6

[	וכ]ול °	1
[	] ° [ ]	2
בקול	ממהר לה]בין [ וכול כהה [עיני]ם או ]	3
	טרוד דבר לו] ו[לוא פצל] דב]רין ל]	4
	לוא יקרא בס]פר [ למ]ה	5
	] ° [ ] עדה ות]	6
	] דה א]	7

<sup>105</sup> Joseph Baumgarten, "The Disqualifications of Priests in 4Q Fragments of the 'Damascus Document,' a Specimen of the Recovery of pre-Rabbinic Halakha," in: J. Trebelle and L. Vegas Montaner (eds.), *The Madrid Qumran Congress. Proceedings of the International Congress on the Dead Sea Scrolls, Madrid 18-21 March 1991* (Volume 2; Leiden: Brill, 1992), 507.

*Textual notes:*

L. 1 Baumgarten reconstructs an א as the first letter of the word following וכול.<sup>106</sup> Yet, the stroke visible on the fragment does not necessarily have to be the remnant of an א.

L. 2 כהה [עיני]ם: The ink on this part of the fragment has faded, which makes it difficult to discern the characters preceding the second ה of the reconstructed כהה, but traces of the characters are still visible. A combination of the root כהה and עינים is, as was shown above, also attested in 4Q266 f. 8i:7.

L. 3 לה-בין: The reconstruction of the characters לה- after -בין is based on 4Q266 f. 5ii:1 which contains the word ending -ין.

L. 3 בל[שוננו]: Baumgarten suggests to read בלשוננו, despite the fact that only the first two characters survived and there are no attestations of this reading in other texts.<sup>107</sup> Although other reconstructions are also possible, Baumgarten's interpretation makes sense in this context, which refers to speaking and reading from the Torah.

L. 3 בקול: The reading בקול proposed by Baumgarten is not supported by textual evidence.<sup>108</sup> Yet, as was true of the preceding remarks on the reading בלשוננו, the reading fits within the context. Therefore, Baumgarten's suggestion is adopted in this study.

L. 5 בספר: Only the upper parts of the characters בס- are preserved. The remnants of the characters match with a reconstruction בספר. This reading is based on an assumed parallel preserved in 4Q273 f. 2:1.

<sup>106</sup> DJD 18, 102. Hempel (*The Laws*, 39) also adopts this reading.

<sup>107</sup> See DJD 18, 102.

<sup>108</sup> See DJD 18, 102.

1	ל[א <י>קרא בספר התו]רה
2	ל[את °°]

L. 1 קרא<י>: The fragment apparently reads קרא without י, which may be the result of a scribal error. The reading קראי is grammatically more correct<sup>109</sup> and also attested in 4Q267 f 5iii:5.

The enumeration of the composite text corresponds to that of 4Q267 f. 5iii:1-7. The text outside brackets is the text from 4Q267. Text from 4Q266 f. 5ii is written with an underline. When the underlined text is not preserved in 4Q267 f. 5iii, it is between brackets. Text from 4Q273 f. 2 is written with a dotted underline. Words that are written between brackets without underline or dotted underline are proposed readings that are not attested in any one of the three manuscripts. Lines 2 and 4 contain a restoration taken from Baumgarten that is sensible, but that is unattested in the three manuscripts under consideration.<sup>110</sup> These conjectural restorations are indicated by a smaller script.

1	[וכ]ול°	
2	[ ]°[ ]	[וכול כהה] [עיני]ם או [ ]
3		ממהר לה[בין] [וכול אשר נקל בל]שונו
4		טרוד דבר לו[ו] [לוא פצל] [זב]רין ל[השמיע] קולו איש מאלה
5		לוא יקרא בס[פר התורה] למ[ה ישיג בדבר מות
6	[ ]°[ ]	[עדה ות]
7		[הכהנים בעבו]דה ואל[ ]

<sup>110</sup> See Baumgarten, "Disqualifications of Priests," 506 and DJD 18, 49. 102.



- ### 3.3.2 Comments

An important conclusion that can be drawn from the passage under consideration is that priests with speaking disabilities apparently were not disqualified from the priestly office. Only in the context of publicly reading from the Torah a priest with speaking disabilities is restricted in the performance of his priestly duties.

<sup>112</sup> Baumgarten, "Disqualifications of Priests," 508.

### 3.4 Care for the Needy

#### 3.4.1 The Manuscripts

The *Damascus Document* contains more references to disability than any other writing found among the Qumran writings. Besides two rules that contain disqualifying regulations for physically blemished persons, the *Damascus Document* also contains the prescription to take care of the needy in CD 14:12b-17a // 4Q266 f.10i:5-10 ; 4Q267 f.9v; 4Q270.

##### 3.4.1.1 CD 14:12b-17a

<i>vacat</i> וזה סרך הרבים להכין כל חפציהם שכר	12b
שני ימים לכל חדש לממעט ונתנו על יד המבקר והשופטים	13
ממנו יתנו בעד [פ]צעם וממנו יחזיקו ביד עני ואביון ולזקן אשר	14
[יכר]ע ולאיש אשר ינו[ג]ע ולאשר ישבה לגוי נכר ולבתולה אשר	15
[אי]ן לה ג[וא]ל [ו]לע °אשר אין לו דורש כל עבודת החבר ולא	16
<i>vacat</i> [יכרת בית החבר מיד]ם	17a

##### Textual Notes

L. 13 *לכל חדש*: In 4Q266 f.10i:6 there seems not to be enough space for inserting the words *לכל חדש*, “each month.”<sup>113</sup>

L. 13 ונתנו: 4Q266 reads וינתן

L. 14 *צעם* [פ]: 4Q266 f.10i:7 contains traces of the פ and צ. For this reason, the reconstruction [יתו]מים suggested by Baumgarten is incorrect.<sup>114</sup> The root פצה, “to wound, injure,” further occurs in only two other Qumran documents. It is used in three 4QMMT manuscripts (4Q394 8iii:10; 4Q396 1\_2i:5; 4Q397 5:1) where it refers to damaged male genitalia as in Deut 23:2. In 4Q525 (4QBeautitudes) 15:9 פצה appears in a very damaged context, but most likely bears the general meaning “to wound” as in 1 Kgs 20:37, Song 5:7 and the *Damascus Document*.

L. 14 יחזיקו: 4Q266 reads [י]חזקו

L. 14 ביד: 4Q270 reads בעד

L. 14 [הע]ני והאביון: 4Q266 f.10i:7 reads עני ואביון.

L. 15 יכרע:

<sup>113</sup> See Hempel, *The Laws*, 133.

<sup>114</sup> Baumgarten and Schwartz, “The Damascus Document (CD),” 56-57.

L. 15 ינוגע: The pual of the root נגע is used to describe various bodily conditions. In 11QT<sup>a</sup> 45:18 מנוגה parallel the צרוע, “leper,” at the end of 11QT<sup>a</sup> 45:17 (// 11QT<sup>b</sup> 12:10). In this context the root נגע refers to a person who is unclean because of an ailment to the skin. The same applies to the use of מנוגע in 11QT<sup>a</sup> 48:14-15, which states that מנוגעים בצרעת, “those contaminated with leprosy,” should be quarantined. This reflects the use of the root נגע in Leviticus 13, which deals with leprosy legislation, although the pual is not used. The *Damascus Document* does not use נגע here to denote persons with skin diseases, but probably refers to a broad variety of physical blemishes. The use of the verb parallels the tenor of 1QSa 2:3-11, where it is used for a variety of physical blemishes.<sup>115</sup>

L. 16 לע[ן]: 4Q266 f.10i:9 reads ולנער

L. 16 כל: 4Q266 f.10i:9 reads ולכול

L. 17 וזה: 4Q266 f.10i:10 reads זה

#### *Translation:*

*Blank* (12b) And this is the rule of the Many, to provide for all their needs: the salary (13) of two days each month at least. They shall give it in the hand of the Inspector and of the judges. (14) From it they shall give it to the <[in]jured> and with it they shall support the needy and the poor, and to the elder who (15) [is ben]t, and to the afflic]ted, and to the prisoner of a foreign people, and to the girl who (16) had [n]o re[dee]mer, [and] to the <youth> [w]ho has no-one looking after him; everything is the task of the association, and (17) [the house of the association shall] not [be deprived of] its [means]. *Blank*.

#### **3.4.2 Comments**

The passage on the support of the needy and poor in CD 14:12b-18a forms the third part of a longer pericope that contains legislation for the assembly of all the camps (CD 14:3-18a).<sup>116</sup> This passage is immediately followed by the penal code, the beginning of which is preserved in CD 14:18b-23.<sup>117</sup> The beginning of the pericope on the assembly of all the camps can be defined by the words סרך מושב כל המחנות, “the rule for the assembly of all the camps,”

<sup>115</sup> See chapter 2.

<sup>116</sup> See for a detailed treatment of this passage Hempel, *The Laws*, 131-140.

<sup>117</sup> No further material of the penal code is preserved in the Geniza text of the *Damascus Document*, but in the 4QD manuscript much material from the penal code is preserved. See for 4Q266 f. 10i-11; 4Q267 f. 9iv; 4Q269 f. 11i-11; 4Q270 f. 7i: Baumgarten, DJD 18.

in CD 14:3. The end of the pericope is formed by the concluding phrase that begins with the words *וזה פרוש מושב המחנות*, “this is the explanation of the assembly of the camps,” in CD 14:17b. The first part of this pericope (CD 14:3- 6b) deals with the mustering of the members of the camps. The second part (CD 14:6c-12a) describes the various offices and their duties with regard to the meeting.

The final section is concerned with the support for the needy and poor of the community begins after a *blank* and starts with a new heading in CD 14:12b: *וזה סרך הרבים*, “and this is the rule of the Many.” The section also ends with a *blank* in CD 14:17a, followed by the concluding phrase *וזה פרוש מושב המחנות (ואלה יסודותיה) [אוישי הקהל]* “And this is the explanation of the assembly of the camps and these are the foundation walls of the assembly” in CD 14:17b-18a. This phrase functions as a conclusion of the longer pericope on the meeting of all camps.<sup>118</sup>

The provision made in the *Damascus Document* for the poor and needy consists of at least a two days’ wages each month. This contribution should be given to the Examiner and the judges, who will divide the money between those in need of charity: the sick, the poor, the elder, the physically afflicted, the (Jewish) prisoner in a foreign land, the girl who has no redeemer, and the young boy who has no-one to look after him (CD 14:14-16). The reference to “the Many” with which the passage begins, is somewhat disturbing in relation to the foregoing. Firstly, this second heading after the first heading in CD 14:3 *סרך מושב כל המחנות*, “the rule for the assembly of all the camps,” seems out of place, especially since the pericope ends with the concluding words *וזה פרוש מושב המחנות*, “this is the explanation of the assembly of the camps,” in CD 14:17b.<sup>119</sup> The reference to “the Many” is further disturbing, because the title appears much more frequently in the *Rule of the Community* (1QS) than in the *Damascus*

<sup>118</sup> The fact that these words appear after a vacat indicates that the rule points at the entire preceding section, not only to the regulation immediately before it. It is recognized that it is possible to argue that the phrase in CD 14:17b-18a is the title or the beginning of a new section. Yet, an interpretation of the words *וזה פרוש מושב המחנות (ואלה יסודותיה) [אוישי הקהל]* as a concluding remark is preferred for two reasons. Firstly, the reference to the meeting of the camps clearly summarizes the contents of the preceding and establishes a link with the introductory remark in CD 14:3a. Secondly, CD 14:18b-19a introduces the beginning of the penal code (which is the next literary section) with the words *וזה פרוש המשפטים אשר [עד מעמוד משיח אהרן וישראל]*, “And this is the exact interpretation of the judgments by which [they shall be ruled] [until the Messiah] of Aaron and Israel [arises].”

<sup>119</sup> Wassen, *Women*, 169, n. 126.

*Document*.<sup>120</sup> Yet, the people who must be taken care of in CD 14:12b-17a cannot be easily matched with the character of “the Many” in the *Rule of the Community*. Concern for women and foreigners, however, is not hostile to the nature of “the camps” in the *Damascus Document*, because these groups are also mentioned elsewhere in the document. For this reason Hempel ascribes the section’s heading to what she calls the “Serekh redaction of the Laws of the Damascus Document.”<sup>121</sup> The Serekh redactor made an effort to harmonize the laws of the *Damascus Document* with the ideas put forward in the *Rule of the Community*.<sup>122</sup> Except for the reference to “the Many” in CD 14:12b, there are no other indications of textual development in the passage under consideration (CD 14:12b-18a).<sup>123</sup>

A similar call to be compassionate towards the poor and needy can be found in the Admonition of the *Damascus Document*, in CD 6:21. The idea of support for the needy is also known from biblical writings. Lev 19:10-11; Deut 15:7-11; 24:17; 26:12; Ezek 22:29-30; Amos 2:6-7; Isa 1:23; 3:15. The main difference between the texts on care for the needy in biblical writings and the commandment in CD 6:21 is that CD 14:12-17 mentions the exact amount of money that should be donated each month and the fact that the Examiner and the judges are responsible for the collection and distribution of the funds. From this can be concluded that the *Damascus Document* provided measures to ensure that the poor and needy would be taken care of.<sup>124</sup>

This rule in CD 14:12-17 is particularly interesting, because it shows which categories of people were regarded as needy and poor. Thus, it is possible to conclude from this passage that elderly people, persons with physical disabilities, people in foreign captivity, girls without a redeemer and youngsters who have no one to look after them, were in need of help. Biblical writings also mention various categories of people who need financial support: the widow, the orphan and the alien.<sup>125</sup> Persons with physical disabilities were taken care of in the community.

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<sup>120</sup> The *Damascus Document* refers only four times to “the Many” as self-designation, see: CD 13:7; 14:7.12; 15:8. In the *Rule of the Community*, on the other hand, the title is used more than thirty times in 1QS 6-9.

<sup>121</sup> Hempel, *The Laws*, 138.

<sup>122</sup> Hempel, *The Laws*, 136.

<sup>123</sup> It cannot be determined whether the present heading served to replace an older one, or whether the original text did not have a heading at all. See Hempel, *The Laws*, 139.

<sup>124</sup> Wassen, *Women*, 169.

<sup>125</sup> See e.g., Exod 22:22; Deut 14:29; 16:11,14; Jer 49:11.

From this passage two major conclusions can be drawn. First, the passage shows that the handicapped were members of the community and second, that the community took care of them financially.

### **3.5 Social Implications for Disabled Persons in the *Damascus Document***

Now that the passages referring to disabled persons in the *Damascus Document* are discussed, it must be explored what social implications follow from the regulations. From the three references to disability in the *Damascus Document*, two passages had a disqualifying character. The analysis above showed, however, that restricted access was only in certain situations. The presence of disabled persons is assumed throughout the document. Moreover, in the third passage that was examined (CD 14:12-17) the *Damascus Document* showed a compassionate attitude towards disabled persons by providing financial support.

The provision for the needy shows, that the community shared the responsibility for the well being of vulnerable groups in society. This means, apparently, that these persons had difficulties to provide an income of their own. The fact that persons with disabilities are specifically mentioned between the poor and needy means that the group behind the *Damascus Document* did not all live at the same economical standard.

With regard to the two passages with restricting rules for certain categories of people, the reason for the exclusion is particularly interesting. If persons with disabilities can be part of the community who are looked after with special care, why, then, are they denied participating in certain activities of the community? It appears that the two passages have different motivations for the exclusion. The rationale for the exclusion from the *Feast of Week* does not differ much from the rationale for the exclusion in the *Rule of the Congregation* (1QSa) and the *War Scroll* (1QM). These three texts all state that disabled persons are disqualified because of the presence of holy angels. This implies that persons with mental and physical disabilities and youngsters, contrary to those community members who are admitted, are regarded as not holy or worthy enough to come into contact with the holy angels. This is a theological/ethical motivation for the exclusion. The prohibition that applies to priests with speaking disabilities (4Q266 f. 5ii:1-16 // 4Q267 f. 5iii:1-8 // 4Q273 f. 2:1-2; f. 4i:5-11) originated from practical

considerations. If a priest has difficulties pronouncing he cannot properly transmit the words of the Torah. More importantly, from this ruling can be drawn that the priest's disability only restricted him in this particular activity. The text does not state that he could not become a priest at all.

### 3.6 Conclusion

In investigating the picture of disability presented in the *Damascus Document*, this chapter focused on the exclusion rule in CD 15:15-17. This rule states that persons with physical disabilities, next to mentally disabled persons and youngsters, cannot enter the  $\text{הַעֲדָה}$ . From the rule itself it is impossible to know from what situation exactly the listed persons are disqualified. Most scholars are of the opinion that the exclusion refers to entrance into the community, but this cannot be maintained. It was shown that the word  $\text{הַעֲדָה}$  in the *Damascus Document* is not exclusively used as self-designation of the group behind the document. It can refer to various groups and its meaning must be detracted from the context in which the word is used.

The most likely context for the exclusion rule is regulations concerning the celebration of the *Feast of Weeks*. This context is provided by the reference to the *Book of Jubilees* in CD 16:2b-6a. This reference has been puzzling for scholars thus far, but becomes sensible in the light of the suggested context. The *Book of Jubilees* shares with the *Damascus Document* a profound interest in the covenant of the patriarchs and total adherence to the Law of Moses. Both documents regard it of great importance to renew the covenant and the vows on the same date every year. During the *Feast of Weeks*, new members were initiated and people gathered to renew the Law of Moses by swearing oaths. Not all community members were present in the ceremony: persons with mental or physical deformities, and youngsters were exempt from participating in this ritual.

The reason for the exclusion is the fact that holy angels were thought to be present in the congregation. Just as in the *Rule of the Congregation* and the *War Scroll* the presence of holy angels is contradictory to the presence of amongst others, persons with disabilities. In every day life of the community, the physical condition did not matter, but in contact with holy angels it appears that these persons are not holy enough.

Next to the theological motivation for excluding various classes of people, the *Damascus Document* also contains a restriction for priests with a

speaking disability that has a more practical concern. Priests who could not speak properly were not allowed to read the Law, because they could error on a capital matter. Yet, there are no indications in the text that priests with speaking disabilities could not perform other tasks.

Despite the fact that persons with disabilities could not enter into the congregation during the *Feast of Weeks*, the community did not treat disabled community members with disrespect. From CD 14:12b-17a and its parallels in the 4QD fragments can be concluded that disabled persons received financial support. However, the fact that they had to be taken care of financially implies that they lived at an economically lower level than persons who were not disabled.



# 4

## Disability in the War Scroll

### 4.1 Introduction

The *War Scroll* (1QM) is a Qumran document that recounts a war between two parties that takes place at the end of times.<sup>1</sup> The “Sons of Light” (belonging to God) fight against the “Sons of Darkness” (belonging to Belial).<sup>2</sup> In the end, God himself will intervene and the Sons of Light will defeat Belial and his followers. The *War Scroll* is addressed to the Sons of Light and provides them with three kinds of information. The scroll contains: 1) regulations for the preparation and execution of the war; 2) prayers and blessings that must be recited for every different phase of the war; 3) a list of the sequence of the war against the Kittim,<sup>3</sup> with appropriate speeches and prayers.

The *War Scroll* contains one reference to disability in the first part of the document that deals with practical regulations for warfare. From 1QM 7:3b-8 follows that the document has stringent rules on the selection of warriors who are allowed to participate in the holy battle. Various categories of people are prohibited from leaving the city of Jerusalem to the camps from which the battle is fought. Persons with physical disabilities, such as the lame, blind and paralyzed are among the disqualified categories.

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<sup>1</sup> 1QM stands for 1Q*Milḥāmā* (“War”) and is also known as 1Q33.

<sup>2</sup> In some parts of the *War Scroll* the two parties are defined as “Israel” on the one hand, and “the nations” on the other.

<sup>3</sup> The “Kittim” are an unspecified nation that help the sons of darkness in the final battle.

This chapter investigates the rule in 1QM 7:3b-8 and explores the way in which the document reflects on persons who are afflicted with physical disabilities. As is the case in the evaluation of other Qumran documents that deal with disabled persons, the rationale behind the special regulations that are addressed to disabled persons is explored. It is asked whether the exclusion of these groups of people is based on practical military considerations, or whether they are disqualified for other reasons.

Besides 1QM, which is the largest extant version of the *War Scroll*, Caves 4 and 11 contained fragments of documents that resemble the 1QM material. One of these documents (4Q491) contains parts of the exclusion rule attested in 1QM 7:3b-8, although a reference to disabled persons is missing. 4Q491 is a poorly preserved document. It is possible that it originally did contain a reference to disabled persons in a part of the document that is now lost. Because 1QM is the only document that has a preserved regulation disqualifying persons with disabilities, this investigation focuses on the text of this document. Yet, 4Q491 is important to the understanding of 1QM and for this reason the text of 4Q491 is analyzed in a distinct paragraph.

#### 4.1.1 The War Texts

##### 4.1.1.1 1QM

The document known as the *War Scroll* was one of three Cave 1 documents that were acquired by Eleazar Lipa Sukenik for the Hebrew University in Jerusalem.<sup>4</sup> The best-preserved document of the three contains a description of a battle between the “Sons of Light” and the “Sons of Darkness.” For this reason, Sukenik named the document “The War of the Sons of Light with the Sons of Darkness,” now known as the *War Scroll*. Sukenik’s first report on the three manuscripts appeared in 1948.<sup>5</sup> It contained a description and photographs of the *War Scroll* together with a partial transcription of 1QM 8 and 1QM 14-15. Two years later, Sukenik published a hymn found in 1QM

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<sup>4</sup> See Dominique Barthélemy and Josef T. Milik (eds.), *Qumran Cave I* (DJD 1; Oxford: Clarendon Press, 1955); Eleazar L. Sukenik, *The Dead Sea Scrolls of the Hebrew University* (Jerusalem: Magnes Press, 1955), 13. The two other documents purchased by Sukenik are a collection of Thanksgiving Hymns (1QHodayot) and a poorly preserved copy of a Isaiah scroll (1QIsaiah<sup>b</sup>).

<sup>5</sup> Eleazar L. Sukenik, *Megilloth Genuzoth I* (Jerusalem: Bialik Foundation, 1948).

12.<sup>6</sup> Unfortunately, Sukenik passed away in 1952, before the official edition of the three scrolls from Cave 1 was completed. The Hebrew University appointed N. Avigad to complete the publication, the Hebrew edition of which appeared in 1954.<sup>7</sup>

In 1949 Roland de Vaux and G. Lankester Harding further excavated the cave where the three documents purchased by Sukenik had been found.<sup>8</sup> They found various new documents among which two fragments were identified as belonging to the same scroll that Sukenik called “The War of the Sons of Light with the Sons of Darkness.” This identification confirmed that 1QM did indeed come from this cave. It is assumed that the Bedouin who first found the scroll that was sold to Sukenik dropped the two fragments when he removed the entire scroll from the Cave one. In 1955 Barthélemy and Milik published the two fragments (1QM frags. 1 and 2) in DJD 1.<sup>9</sup>

1QM is written on five sheets of fine, buff colored leather.<sup>10</sup> The entire scroll is about three meters long and 16 cm wide. 19 columns are

<sup>6</sup> Eleazar L. Sukenik, *Megilloth Genuzoth II* (Jerusalem: Bialik Foundation, 1950).

<sup>7</sup> The English edition, which this study refers to, appeared in 1955. See Sukenik, *Dead Sea Scrolls*. See also PAM 3365-3384 and 3387-3407. For other editions, and (annotated) translations of the text see: J.P.M. van der Ploeg, *Le Rouleau de la Guerre. Traduit et annoté avec une introduction* (STDJ 2; Leiden: E.J. Brill, 1959); Petrus Boccaccio, *Regula Belli seu מלחמת בני אור בבני חושך / Bellum Filiorum Lucis Contra Filios Obscuritas (1QM+4QMa): Transcriptio et Versio Latina* (Fano: Pontificium Seminarium Picenum/Rome: Pontificium Institutum Biblicum, 1961); Yigael Yadin, *The Scroll of the War of the Sons of Light against the Sons of Darkness* (Oxford: Oxford University Press, 1962); B. Jongeling, *Le rouleau de la guerre des manuscrits de Qumrân. Commentaire et traduction* (Studia Semitica Neerlandica 4; Assen: van Gorcum, 1962); Eduard Lohse, *Die Texte aus Qumran. Hebräisch und Deutsch* (München: Kösel Verlag, 1971), 177-225; André Dupont-Sommer, *Les écrits esséniens découverts près de la mer Morte* (Paris: Payot, 1980), 179-211; Jean Duhaime, “War Scroll,” in: James H. Charlesworth et al. (eds.), *The Dead Sea Scrolls: Hebrew, Aramaic, and Greek Texts with English Translations. Volume 2: Damascus Document, War Scroll, and Related Documents* (Tübingen: J.C.B. Mohr/Paul Siebeck; Louisville: Westminster/John Knox Press, 1995), 80-141; Florentino García Martínez and Eibert J.C. Tigchelaar, *The Dead Sea Scrolls Study Edition* (Volume I; Leiden: Brill 1998), 112-145; Giovanni Ibba, *Il “Rotolo della Guerra,” Edizione Critica* (Quaderni di Henoch 10; Torino: Silvio Zamorani editore, 1998); M. Abegg (ed.), “1Q33 (1QM[ilhamah]=1QWar Scroll [Rule]),” in: Donald W. Parry and Emanuel Tov (eds.), *Texts Concerned with Religious Law* (The Dead Sea Scrolls Reader 1; Leiden: Brill, 2004), 208-243.

<sup>8</sup> DJD 1, 6.

<sup>9</sup> DJD 1, 135-136, plate XXXI and PAM 40.487; 40.531.

<sup>10</sup> See for a description of the scroll’s physical condition: Sukenik, *Dead Sea Scrolls*, 35-36; Jean Duhaime, *The War Texts. 1QM and Related Manuscripts* (Companion to the Qumran Scrolls 6; London: T&T Clark International, 2004), 13-20.

preserved, varying in length from 14 (col. 19) to 19 (col. 8, 11) lines. The fact that the scroll has a 5 cm margin at the right of the first column indicates that the beginning of the scroll is preserved. Apparently, a blank strip of leather of about 35 cm long covered the scroll. The bottom part and the end of the scroll are missing. However, Barthélemy and Milik published a fragment that evidenced the existence of at least a twentieth column.<sup>11</sup> Although the bottom part of the document is lost, it is reasonable to assume that each column had an average length of 21-22 lines.<sup>12</sup> The extant text contains lacunae that in some cases can be reconstructed with help of detached fragments.

Sukenik could not provide a precise date for the work and proposed a date somewhere before the destruction of the Second Temple.<sup>13</sup> Later paleographical research by Cross and Birnbaum showed that the manuscript is written in a formal early Herodian script, which points to a dating in the last part of the first century BCE.<sup>14</sup>

#### 4.1.1.2 Other War Scroll- like material

Besides 1QM, several other documents with war material were found in Qumran. Nine documents that resemble the 1QM material were found in Cave 4 (4Q285; 4Q471; 4Q491-497)<sup>15</sup> and one document was found in Cave 11 (11Q14).<sup>16</sup> Some of the documents can be regarded as variants or shorter

<sup>11</sup> DJD 1, 135-136 and Pl. XXXI and J.T. Milik, [Rev. of Sukenik 1955], *RB* 62 (1955), 600-601 (cf. PAM 40.487, 531).

<sup>12</sup> Initially, Carmignac (*La Règle de la Guerre de Fils de Lumière contre les Fils de Ténèbres* [Paris: Letouzey et Ané, 1958], thought that the average amount of lines was 28-30, but this now seems unlikely. (See also Van der Ploeg, *Le Rouleau de la Guerre*, 2-4).

<sup>13</sup> Sukenik, *Dead Sea Scrolls*, 36.

<sup>14</sup> S.A. Birnbaum (*The Hebrew Scripts* [Vol. I: Text; Leiden: Brill, 1971], 150-154) suggests a date in the third quarter of the first century BCE. F.M. Cross ("The Development of the Jewish Scripts," in: G.E. Wright [ed.] *The Bible and the Ancient Near East* [New York: Doubleday, 1961], 138) dates the manuscript in the last third of the first century BCE.

<sup>15</sup> 4Q285 and 4Q471 were published in: Stephen J. Pfann *et al.* (eds.), *Qumran Cave 4.XXVI* (DJD 36; Oxford: Clarendon Press, 2000). See for 4Q285 pp. 228-48 and PAM 40.594; 41.282; 41.317; 41.466; 41.468; 41.708; 42.260; 42.370; 43.325;; for 4Q471 see pp. 439-45 and plate XXX. See for the official edition of 4Q491-4Q497 Maurice Baillet (ed.), *Qumrân Grotte 4, III (4Q482-4Q520)* (DJD 7; Oxford: Clarendon Press, 1982), 12-72, Plates V-VIII, X, XII, XIV, XVI, XVIII, XXIV, XXVI.

<sup>16</sup> Florentino García Martínez *et al.* (ed.), *Qumran Cave 11.II* (DJD 23; Oxford: Clarendon Press, 1998), 243-51, pl. XXVIII. See also PAM 42.176; 42.178; 42.179; 43.977; 44.006.

recensions of the *War Scroll*. In the case of 4Q285, 4Q471, 4Q497 and 11Q14, the relationship with 1QM is less apparent.

For this investigation, 4Q491 is of particular interest, because it contains a ruling that excludes various categories of people parallel to the ruling in 1QM 7:3b-8. The document was first edited by Hunzinger in 1957 and re-edited by Baillet in his official publication in 1982.<sup>17</sup> The document is written in Herodian script and was probably copied in a somewhat later period than 1QM, but still during the second half of the first century BCE. The script of the document is very small and has narrow line spacing. This feature suggests that the document was meant for private use. The document is severely damaged, but, in the official edition, Baillet was able to construe 37 fragments out of various separate pieces. The largest fragment of these (fragment 2) measures 8 cm in width and 6.5 cm in height. The smallest fragment is fragment 7 and measures 7 mm by 6 mm. The original arrangement of the scroll remains uncertain. Some of the extant fragments could be assigned to two incomplete columns (frags. 8-10 and 11-12). Most of the fragments, however, are very small and contain only a few characters (frags. 27-37). Baillet arranged the numbering of fragments 1-16 on basis of the sequence of similar material in 1QM.<sup>18</sup> He grouped the other fragments according to their content, which can be divided into regulations (frgs. 17-22); hymns, prayers, and speeches (frgs. 23-25) and other fragments (frgs. 26-37).<sup>19</sup>

In his 1993 dissertation, Martin Abegg challenges the arrangement of the 4Q491 material.<sup>20</sup> On the basis of physical, palaeographical, orthographic and literary evidence, Abegg came to the conclusion that although the 4Q491 fragments can be dated to the same period, these in fact can be assigned to three different documents: 4Q491a, 4Q491b, and 4Q491c. According to Abegg, 4Q491a and 4Q491b evidence two different recensions of the *War Scroll*. Abegg thinks that 4Q491c, which contains a “Self-

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<sup>17</sup> C.-H. Hunzinger, “Fragmente einer älteren Fassung des Buches *Milhamah* aus Höhle 4 von Qumrân,” ZAW 69 (1957), 131-51; DJD 7, 12-44; See PAM 42.045; 42.473-42.474.

<sup>18</sup> Duhaime, *War Scroll, and Related Documents*, 81.

<sup>19</sup> Duhaime, *War Scroll, and Related Documents*, 82.

<sup>20</sup> Martin Abegg, *The War Scroll from Cave 1 and 4: A Critical Edition* (PhD diss., Hebrew Union College, 1993), see also: Idem, “4Q471: A Case of Mistaken Identity?,” in: J.C. Reeves and J. Kampen (eds.), *Pursuing the Text. Studies in Honor of Ben Zion Wacholder on the Occasion of his Seventieth Birthday* (JSOTSup 184; Sheffield: Sheffield Academic Press, 1994), 136-147. A comprehensive summary of his ideas is provided by Duhaime, *War Texts*, 25-30.

Glorification Hymn” (4Q491 frg. 11 col. 1 and frg. 12), has no relation to the *War Scroll*.<sup>21</sup>

Abegg’s division of the 4Q491 fragments in different documents has contributed much to the discussion about its relation to 1QM. Yet, García Martínez convincingly proved, that it is not necessary to divide the 4Q491 fragments into three different documents.<sup>22</sup> There are only two different documents. The fragments designated by Abegg as 4Q491c belong to the document he called 4Q491b.

#### 4.1.2 Contents and Composition of the *War Scroll*

Since the structure of the original composition of the *War Scroll* is unknown the present analysis of the document’s structure is based on 1QM.<sup>23</sup> The structural division is facilitated by *vacats* at the end of a section, which indicate divisions in the text (1QM 2:15; 3:12; 7:8; 16:10).<sup>24</sup> In its present form, the document consists of an introduction in the first column, followed by three literary units. The first unit (1QM 1 end - 9 end) deals with the organizational and technical aspects of the war. It contains rules on a variety of topics to direct the troops and the priests. The second unit (1QM 9 end – 14 end) contains three kinds of prayers that have to be recited during the war: a) prayers at the camp (1QM 9 end – 12 end), b) prayers on the battlefield (1QM 12 end – 14:1), and c) prayers after the victory (1QM 14:2 – 14 end). The third unit contains a description of the war itself (1QM 14 end – 20?). It starts with a short introduction (1QM 14 end – 15:3), followed by three engagements of the two fighting parties (1QM 15:4-16:9; 1QM 16:11-17 end); 1QM 17 end – 19:8). The document ends with a morning prayer after the war (1QM 19:9-20?). It is possible that the text continued

<sup>21</sup> Duhaime, *War Texts*, 29-30. The idea that the 4Q491 material represented different recensions of 1QM was already advocated by many scholars, but it did not put the strange “Self-Glorification Hymn” into an understandable context. See: Duhaime, *War Scroll, and Related Documents*, 82; Maurice Baillet, “Les manuscrits de la Règle de la Guerre de la Grotte 4 de Qumrân,” *RB* 71 (1972), 219-221; Carmignac, *La Règle de la Guerre*, 270-72; Jean Duhaime, “Dualistic Reworking in the Scrolls from Qumran,” *CBQ* 49 (1987), 49-51; Hunzinger, “Fragmente einer älteren Fassung,” 131-51.

<sup>22</sup> Florentino García Martínez, “Old Texts and Modern Mirages. The ‘I’ of Two Qumran Hymns,” *ETL* 78 (2002), 326-329.

<sup>23</sup> Duhaime, *War Scroll, and Related Documents*, 83.

<sup>24</sup> Duhaime, *War Scroll, and Related Documents*, 80-81.

with a description of the troops returning to Jerusalem.<sup>25</sup> Yet, the last columns of the *War Scroll* did not survive.

In the chart below the structure of the *War Scroll* is outlined schematically.

<b>The War Scroll</b>	
<b>1) Introduction (1:1-1 end)</b>	
a	<i>Overview of the war (1:1-7)</i>
b	<i>The day of the Kittim's fall (1:8-15)</i>
c	<i>The seventh lot (1:16- 1 end)</i>
<b>2) Organization and Tactics (1 end – 9 end)</b>	
a.	<i>Mobilization and assignment of troops (1 end –2:14)</i>
b.	<i>Rule for the trumpets (2:16-3:11)</i>
c.	<i>Rule for the standards (3:14-4:17)</i>
e.	<i>Inscription for the prince of the congregation (4:18-5:2)</i>
f.	<i>Rules for the fighting battalions (5:3-7:7)</i>
g.	<i>Directions for priests (7:9-9:9)</i>
h.	<i>Rules for modifying formation of battalions (9:10- 9 end)</i>
<b>3) War Prayers (9 end –14 end)</b>	
a.	<i>Prayers at the camp (9 end – 12 end)</i>
b.	<i>Prayers on the battlefield (12 end – 14:1)</i>
c.	<i>Prayers after the victory (14:2 – 14 end)</i>
<b>4) War Against the Kittim (14 end – 20 ?)</b>	
a.	<i>Introduction ( 14 end – 15:3)</i>
b.	<i>First engagement (15:4 –16:9)</i>
c.	<i>Engagement of the reserve (16:11 – 17 end)</i>
d.	<i>Final engagement and pursuit (17 end – 19:8)</i>
e.	<i>After the war (19:9 – 20 ?)</i>

Table 1: Structure of the War Scroll

#### 4.1.3 Literary History

It is likely that 1QM is the result of a reworking of different documents by one redactor. According to Duhaime, who compares 1QM with similar

<sup>25</sup> Duhaime, *War Texts*, 20.

documents from the Greco-Roman world, the *War Scroll* may best be compared with a “tactical treatise.”<sup>26</sup> Duhaime defines this as “a collection of military rules on such topics as the organization and equipment of the army, its various movements, and the commands to be issued by the officers.”<sup>27</sup> Duhaime is of the opinion that the material was transmitted in a rather fixed form, but that overtime adaptations were made to match the needs of the persons who used it. In his opinion, the theory that 1QM is a tactical treatise combined with the textual evidence from Cave 4 makes it likely that the *War Scroll* was composed from three different documents (columns 2-9; 10-14; and 15-19). These three documents may have been transmitted in various recensions and modified more than once. Most scholars accept the division of the document into three sections (2-9, 10-14, 15-19).

Despite the document’s similarities with the Roman tactical treatises, there is one major difference. The *War Scroll* has a strong religious dimension, for God is present throughout the whole scroll and religious figures such as angels and supernatural beings partake in the battle. The war has a religious significance that is constantly stressed by listing appropriate prayers and rituals and prescriptions for the war. According to Davies, the *War Scroll* is clearly not an apocalyptic text, because the document does not claim heavenly revelation.<sup>28</sup>

1QM and the related manuscripts from Cave 4 and 11 are all written in Hebrew. “There are no indications that any other language lies behind the various recensions represented by these manuscripts.”<sup>29</sup> The Hebrew of the *War Scroll* is not unlike that of the other Qumran documents.<sup>30</sup> The *War*

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<sup>26</sup> Duhaime, *War Scroll, and Related Documents*, 83-84.

<sup>27</sup> Duhaime, *War Scroll, and Related Documents*, 84.

<sup>28</sup> Philip R. Davies, “War of the Sons of Light Against the Sons of Darkness,” in: L.H. Schiffman and J.C. VanderKam (eds.), *Encyclopedia of the Dead Sea Scrolls* (Oxford: Oxford University Press, 2000), 966.

<sup>29</sup> Duhaime, *War Scroll, and Related*, 83.

<sup>30</sup> J.P. Asmussen, “Das iranische Lehnwort *nashir* in der Kriegerrolle von Qumrân (1QM),” *ActOr* 26 (1961), 3-20; F.W. Bush, “Evidence from *Milhamah* and the Masoretic Text for a Penultimate Accent in Hebrew Verbal Forms,” *RevQ* 13 (1960), 501-514; Jean Carmignac, “Précisions apportées au vocabulaire de l’hébreu biblique par la Guerre des Fils de Lumière contre les Fils de Ténèbre,” *VT* 5 (1955), 345-365. G. Molin, “What is a *kidon*?,” *JJS* 1 (1956), 334-37; Elisha Qimron, *The Hebrew of the Dead Sea Scrolls* (HSS 29; Atlanta: Scholars Press, 1986).



*Scroll* contains some words that are rare in biblical Hebrew,<sup>31</sup> but some of these are attested in other Qumranic writings or later Jewish literature.<sup>32</sup> Rare biblical terms that mostly appear in a military context are given a different or more precise meaning in the *War Scroll* and the *War Scroll* also contains derivatives from Hebraic roots known from biblical literature. The linguistic characteristics found in 1QM are also attested in the *War Scroll* fragments from Cave 4.<sup>33</sup>

#### 4.1.4 Provenance and Dating

The date of the original composition of the *War Scroll* is unknown. It is assumed that at least two different recensions were in circulation in the second part of the first century BCE. This observation is based on textual evidence. J. Carmignac identified the author of the *War Scroll* as the Teacher of Righteousness who would have written the document at the end of his life circa 110 BCE. This idea is based on similarities between 1QM and other documents from Cave one, (the *Rule of the Community* [1QS], the *Rule of the Congregation* [1QSa], and the *Thanksgiving Hymns* [1QH]).<sup>34</sup> Also on basis of unity of document, Yigael Yadin was of the opinion that the document was the work of an anonymous author. The author would have written the document after the Roman conquest of Palestine and would have used a variety of sources.<sup>35</sup>

On the other hand there are also many scholars who stress the contrary, namely that the document contains repetitions and discrepancies in the different parts of the document.<sup>36</sup> There is no consensual explanation for

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<sup>31</sup> See the list compiled by Carmignac ("Précisions apportées," 351-354) that contains 24 of these words.

<sup>32</sup> See for more details the lists of Qimron, *Hebrew of the Dead Sea Scrolls*, 98-115.

<sup>33</sup> These characteristics consist of 1) orthographic variations, 2) new forms of biblical terms or new terms derived from Hebraic roots known in the bibles, 3) biblical terms with different meaning, and 4) new terms for military equipment. See: Duhaime, *War Scroll and Related Documents*, 85 and the comments to the 4QM fragments by Baillet in DJD 7.

<sup>34</sup> Jean Carmignac, "Conjectures sur les écrits de Qumrân," *ReScRel* 31 (1957), 140-168; Carmignac, *La Règle de la Guerre*, XIII-XIV; E.M. Laperrousaz ("Note sur l'évolution des conceptions de 'guerre sainte' dans les manuscrits de la Mer Morte," *RevQ* 12 [1986], 276-277) had a similar view, but dated the document to c. 67-63 BCE.

<sup>35</sup> Yadin, *The Scroll of the War*, 14-17; 243-46.

<sup>36</sup> Duhaime (*War Scroll, and Related Documents*, 83) points at the fact that the hymn of 1QM 12:8-16 is found with minor variations in 1QM 19:1-8 and that the war against the Kittim in columns 1 and 15-19 takes place on one day, whereas in column 2 a war against all the

these differences. Some scholars are of the opinion that columns 15-19 are a later supplement to one or two earlier documents.<sup>37</sup> Other scholars believe that columns 1 and 15-19 originally functioned as an apocalyptic composition that was later supplemented with material found in columns 7-8 or 8-10. In the Maccabean era the document would have been transformed into a “rule” by adding columns 2-14.<sup>38</sup>

A third proposal, advocated by P.R. Davies distinguishes three different documents (columns 2-9, 10-12 and 15-19). These documents, which are dated from the Maccabean wars to the Roman era, have their own history and evolution. According to Davies, column 1 was added at the end of the process as a general introduction to the whole document. At this stage, columns 13-14 were also added.<sup>39</sup> Davies also believes that the differentiation between the two parties as “sons of light and darkness” on the one hand and “Israel and the nations” on the other, suggests a composite document. This idea is further supported by other variations in language and ideology. In a later stage, the originally independent sources were put together in a rather coherent way.<sup>40</sup> According to Duhaime, none of the proposed explanations is totally convincing.<sup>41</sup> The reconstruction of the content of the original *War Scroll* and the transformations it underwent in later stages therefore remains an almost impossible task.

There are both literary as well as historical evidence to derive a possible date for the original *War Rule*. Literary evidence can be found in the fact that 1QM 1 uses Daniel 11:40-12:3 as a source. This leads to the conclusion that as a *terminus a quo* 160 BCE can be established for this and

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nations extends to 40 years. Duhaime further shows that the numbers and names of the mentioned trumpets change throughout the document (cf. 1QM 2:16-3:11; 7:9-9:9; 16:3-18:6). It also appears that the cavalry never comes into action in the war, although it is part of the army and rules are provided for it (cf. 1QM 6:8-18 and 1QM 15-19).

<sup>37</sup> Dupont-Sommer, *Les écrits esséniens*, 181-181; M. Krieg, “Mō’ēd Nāqām - ein Kultdrama aus Qumran. Beobachtungen an der Kriegsrolle,” *TZ* 41 (1985), 3-30. Ch. Rabin, “The Literary Structure of the War Scroll,” in: Ch. Rabin and Y. Yadin (eds.) *Essays on the Dead Sea Scrolls in Memory of E.L. Sukenik* (Jerusalem: Hekal hasefer, 1961), 31-47 (Hebrew).

<sup>38</sup> This view is advocated by J. Becker, *Das Heil Gottes. Heils- und Sündenbegriffe in den Qumrantexten und im Neuen Testament* (SUNT 3; Göttingen: Vandenhoeck & Ruprecht, 1964) 43-50; P. von der Osten-Sacken, *Gott und Belial. Traditionsgeschichtliche Untersuchungen zum Dualismus in den Texten aus Qumran* (Göttingen: 1969), 42-72 and Van der Ploeg, *Le Rouleau de la Guerre*, 7-22.

<sup>39</sup> Philip. R. Davies, *1QM. The War Scroll from Qumran: Its Structure and History* (BibOr 32; Rome: Pontifical Biblical Institute, 1977), 123.

<sup>40</sup> Davies, “War of the Sons of Light,” 965.

<sup>41</sup> Duhaime, *War Scroll, and Related Texts*, 83.

similar parts of the document. Other indications for this date are the similarities between the religious and military practices outlined in the *War Scroll* and those that are known from the Maccabees.<sup>42</sup> Evidence from other documents from Qumran that depend on the *War Scroll* may also point to an early dating. Yet, since there are still many controversies over the dating of the various Qumran documents, this evidence can only serve to establish a relative chronology.<sup>43</sup>

As historical evidence an identification of the enemies mentioned in the *War Scroll* may be of help. Some scholars identify the enemies mentioned in the *War Scroll*, especially the Kittim<sup>44</sup> with their counterparts in the Hellenistic or Roman period.<sup>45</sup> It is, however, not unthinkable that the term “Kittim” meant to designate different enemies over time, depending on the situation.<sup>46</sup> Other scholars relate the date to the kind of weapons and tactics specified in the document. They are of the opinion that the tactics and weapons are Roman rather than Greek in origin.<sup>47</sup> Yet, this observation can be of little help, since it is very likely that Roman war practice was already known in Palestine before the Romans conquered it.<sup>48</sup> Therefore, the only possible date that can be established for the *War Scroll* - or at least for some

<sup>42</sup> This was noticed by a.o. Davies, *IQM. The War Scroll from Qumran*; Von der Osten-Sacken, *Gott und Belial*, 30-34, 62-72 and Van der Ploeg, *Le Rouleau de la Guerre*, 22-25.

<sup>43</sup> See Von der Osten-Sacken, *Gott und Belial*, 116-123, 214-38; Ben Zion Wacholder, *The Dawn of Qumran: the Sectarian Torah and the Teacher of Righteousness* (Monographs of the Hebrew Union College 8; Cincinnati: Hebrew Union College, 1983), 78-83.

<sup>44</sup> The “Kittim” are an unspecified nation that help the sons of darkness in the final battle.

<sup>45</sup> See the discussions of Jean Carmignac, “Les Kittim dans la Guerre des fils de lumière contre les fils de ténèbres,” *NRTh* 77 (1955), 725-748; Davies, *IQM. The War Scroll from Qumran*, 88-90; J.M. Grintz, “The Scroll of Light and Darkness; Its Time and Authors,” in: Ch. Rabin and Y. Yadin (eds.) *Essays on the Dead Sea Scrolls in Memory of E.L. Sukenik* (Jerusalem: Hekal hasefer, 1961), 11-17 (Hebrew); H.H. Rowley, “The Kittim and the Dead Sea Scrolls,” *PEQ* 88 (1956), 92-109; Yadin, *The Scroll of the War*, 22-26.

<sup>46</sup> Duhaime, *War Scroll, and Related Documents*, 84.

<sup>47</sup> Dupont-Sommer, *Les écrits esséniens*, 182; Yadin, *The Scroll of the War*, 114-197, 244-246.

<sup>48</sup> K.M.T. Atkinson, “The Historical Setting of the War of the Sons of Light and the Sons of Darkness,” *BJRL* 40 (1957-1958), 272-297; M. Avi-Yona, “The War of the Sons of Light and the Sons of Darkness and Maccabean Warfare,” *IEJ* 2 (1952), 1-5; J.-G. Février, “La tactique hellénistique dans un texte de ‘Ayin Fashkha’,” *Sem* 3 (1950), 53-59; M. Hengel, “Qumrân und Hellenismus,” in: M. Delcor (ed.), *Qumrân: Sa piété, sa théologie et son milieu* (BETL 46; Paris: Duculot, 1978), 340-342; Van der Ploeg, *Le Rouleau de la Guerre*, 24-25; M.H. Segal, “The Qumran War Scroll and the Date of its Composition,” in: Ch. Rabin (ed.), *Aspects of the Dead Sea Scrolls* (ScrHie 4; Jerusalem: Magness, 1965), 138-43; M. Treves, “The Date of the War of the Sons of Light,” *VT* 8 (1958), 419-429.

parts of the documents or the traditions behind them - remains the period close to the Maccabean wars.<sup>49</sup> The date of 1QM (the last part of the first century BCE) can be regarded as the *terminus ad quem* for this particular recension of the *War Scroll*, although 4Q493 shows that 1QM was not the earliest recension of the *War Scroll*.<sup>50</sup>

Ideas about the provenance of the *War Scroll* are related to ideas about the composition and dating of the document. There is no scholarly consensus on the matter. Scholars who date the document in the Hasmonean or Roman period argue for a composition at Qumran. An exception is Laperrousaz, who is of the opinion that the document was written by the Teacher of Righteousness during his exile in Damascus.<sup>51</sup> Scholars who claim an early date for the *War Scroll* or of its parts or sources differ in opinion as to where the document was composed. One indication that the document was composed outside Qumran<sup>52</sup> is the use of the term *yāḥad*, “community.” Although the *yāḥad*, “community” appears seven times in 1QM, it is not used in the same way as in community writings such as the *Rule of the Community*, the *Hodayot* or the *Damascus Document*.<sup>53</sup> In these latter documents, the term *yāḥad* refers to the congregation as a separate community whereas in the *War Scroll* the term seems to refer to Israel as a whole. According to some scholars, this implies that the *War Scroll* was composed prior to the settlement of Qumran. From the fact that the document is written in Hebrew they conclude that it was most likely composed in Palestine, probably by a group of priests who were inspired by the Maccabean wars.<sup>54</sup> It is also possible to think of a place of provenience outside Palestine where Jews lived, such as the “city of Onias” in Egypt.<sup>55</sup> The arguments to situate the origins of the *War Scroll* outside the Qumran community, however, are not convincing. Although it is true that the *War Scroll* applies the term *yāḥad* as a reference to Israel as a whole, this must be interpreted in the light of the document’s eschatological perspective. At the

<sup>49</sup> Duhaime, *War Scroll, and Related Documents*, 84.

<sup>50</sup> Duhaime, *War Scroll, and Related Documents*, 84. 4Q493 is the oldest manuscript of the *War Scroll* and can be dated in the first half of the first century BCE. See Idem, 81.

<sup>51</sup> E.M. Laperrousaz, “Note sur l’évolution,” 276-277.

<sup>52</sup> L. Rost, “Zum Buch der Kriege der Söhne des Lichtes gegen die Söhne der Finsternis,” *TLZ* 80 (1950), 205-208.; C.-H. Hunzinger, “Milḥamah,” *RGG3* IV, 945; Ben Zion Wacholder, *The Dawn of Qumran*, 82-83.

<sup>53</sup> Davies, “War of the Sons of Light,” 967.

<sup>54</sup> Duhaime, *War Scroll, and Related Documents*, 84.

<sup>55</sup> Atkinson, “Historical Setting,” 286-290.

end of times the *yāḥad* of Qumran will comprise all Israel. This study is of the opinion that the *War Scroll* was written by Qumran members and developed from different writings into its present form.

#### 4.1.5 Relation to Other Writings

The *War Scroll* uses biblical writings as its main source, varying from explicit quotations to allusions.<sup>56</sup> The main biblical sources are Deuteronomy, Numbers, Isaiah, Ezekiel, Daniel, and the Psalms, although possible quotations come from almost every part of the bible. It appears that the author of the *War Scroll* used the biblical writings to strengthen his ideas about the final battle in which the good powers will conquer the powers of evil. From the biblical writings the author took rules and procedures to ensure that in the final battle everything would occur in the most appropriate way.<sup>57</sup>

The *War Scroll* has many similarities with other writings found in the caves at Qumran. The main parallels are the theological ideas and the language of the scroll. It is, however, difficult to establish the specific relationship between the *War Scroll* and the other Qumran material. Shared features that can be discerned are, for example, the dualistic section of the *Rule of the Community* (1QS 3:13-4:26). This section discusses the organization into thousand, hundreds, fifties, and tens, which is also evidenced in the *War Scroll*. Another common idea is the age limit that is also mentioned in the *Rule of the Community* (1QS) and the *Rule of the Congregation* (1QSa).

11QM shares with the *Temple Scroll* (11QT<sup>a</sup>) its organization of the temple service and citation of biblical rules of warfare. It is not certain whether the *War Scroll* influenced other Qumran writings.

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<sup>56</sup> See the list of biblical quotations compiled by Carmignac ("Les citations de l'Ancien Testament dans la Guerre des Fils de Lumière contre les Fils de Ténèbres," *RB* 63 [1956], 234-260; 375-390).

<sup>57</sup> Duhaime, *War Scroll, and Related Documents*, 87-88.

## 4.2 The Regulation Concerning the Exclusion of Disabled Persons from the Holy War

### 4.2.1 Introduction

As was already outlined above, the second part of the *War Scroll* (1QM 1 end – 9 end) deals with the organization and tactics of the army. This section contains, in 1QM 5:3-7:7, various kinds of regulations for the warriors. The regulation section first lists rules for the disposition of the infantry, cavalry, and skirmisher and their weapons. The end of the section (1QM 6 end-7:7) consists of miscellaneous rules, some of which deal with the exclusion of certain groups of persons from the battle (1QM 7:4-6). Among those who may not partake in the eschatological war are persons who are lame, blind, paralyzed, and persons who have a permanent bodily blemish (1QM 7:4).

The passage in 1QM 7 is the clearest reference to the exclusion of physically disabled persons in the *War Scroll* and there is no evidence that the ruling is extant in one of the similar recensions of 1QM, such as 4Q492, 4Q494, 4Q495 or 4Q496. The only other possible witness for the ruling is 4Q491 frags. 1-3.<sup>58</sup> This document, which is regarded as an alternative recension of the *War Scroll*,<sup>59</sup> also excludes some of the categories mentioned in 1QM. This study shows that there is a possibility that the manuscript also contained a regulation for the physically disabled, although damage to the manuscript makes it impossible to state this with certainty.

This paragraph discusses the regulation on the exclusion of physically disabled persons in the *War Scroll*. Firstly, the transcription of the text and a translation of 1QM 7:3b-8 is presented. After the presentation of the text and translation, comments follow and the main questions arising from the pericope under consideration are discussed. Questions relating to the social and religious position of disabled persons in 1QM can be answered more satisfactory with help of a similar ruling found on one of the Cave 4 fragments (4Q491). This is the reason why this paragraph also

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<sup>58</sup> See Hunzinger, "Fragmente einer älteren Fassung, 131-151; M. Baillet, "Les manuscrits de la règle de la guerre," 217-226; J. Duhaime, "Étude comparative de 4QM<sup>a</sup> fgg. 1-3 et 1QM," *RevQ* 14/55 (1990), 459-472; Duhaime *War Scroll and Related Documents*, 142-167.

<sup>59</sup> See the lists with parallels to 1QM in Duhaime, *The War Texts*, 42-43.

discusses the damaged fragments 1-3 of 4Q491. This discussion mainly focuses on two issues. The first issue relates to the question as to whether it is likely that 4Q491 *frags.* 1-3 contained a reference to disabled persons in the parts of the document that are now lost. The second issue pertains to the ideas about “the camp” and the social and religious status of persons with physical deformities that emerge from this document. In the paragraph following the present one, the insights gained from the analyses of 1QM 7:3b-8 4Q491 f1-3:6-10 are used to shed light on the way in which the *War Scroll* reflects on the social and religious position of disabled persons.

#### 4.2.2 Text and Translation of 1QM 7:3b-8

##### *Text*

3b	וכל נער זעטוט ואשה לוא יבואו למחנותם בצאתם
4	מירושלים ללכת למלחמה עד שובם וכול פסח או עור או חגר או איש אשר מום עולם בבשרו או איש מנוגע בטמאת
5	בשרו כול אלה לוא ילכו אתם למלחמה כולם יהיו אנשי נדבת מלחמה ותמימי רוח ובשר ועתודים ליום נקם וכול
6	איש אשר לוא יהיה טהור ממקורו ביום המלחמה לוא ירד אתם כיא מלאכי קודש עם צבאותם יחד ורוח יהיה
7	בין כול מחניהמה למקום היד כאלפים באמה וכול ערות דבר רע לוא יראה סביבות כול
8	מחניהם
	<i>vacat</i>

##### *Textual Notes*

L. 3 נער זעטוט: Lohse, Boccaccio and Carmignac differentiate between the words נער and זעטוט and treat them as two distinct categories by translating נער as “Knabe,” “enfant,” “iuvenis” and זעטוט as “Jüngling,” “mineur,” “adulscens.”<sup>60</sup> Most commentators, however, regard the words נער זעטוט as one category and translate “underage/young boy.”<sup>61</sup> The expression נער זעטוט is not attested in biblical literature.<sup>62</sup> It is attested in 4Q491 *frags.* 1-3 line 6 in a slightly different order. The term זעטוט exists in Aramaic, where it is written as זאטוט or זוט and relates to the root זוט, “little.”<sup>63</sup> Carmignac

<sup>60</sup> Boccaccio, *Regula Belli*, 17; Lohse, *Die Texte*, 197; Carmignac, *La Règle de la Guerre*, 104.

<sup>61</sup> See, e.g., Baillet, DJD 7, 17; Duhaime, *War Scroll, and Related Documents*, 111; Ibba, *Rotolo della Guerra*, 125; García Martínez and Tigchelaar, *DSSSE*, 125.

<sup>62</sup> Carmignac, *La Règle de la Guerre*, 104.

<sup>63</sup> Ibba, *Rotolo della Guerra*, 126.

pointed to the comment of Eliezer ben Yehuda in *Thesaurus totius hebraeae*.<sup>64</sup> It is explained that when the term זעטוט is read in combination with נער, “boy” it specifies its meaning to “an underage boy,” that is to say a boy whose bones are not yet full-grown and who is not mature yet. According to Lohse, this ruling parallels Numbers 5:1-4.<sup>65</sup> Yadin explains that the epithet זעטוט was added to distinguish the word נער, “boy” from its homonym נער, “warrior” as in 1 Chron 12:28, which seems likely.<sup>66</sup>

L. 3 בצאתם: According to Carmignac, the author of this text originally wrote מצאתם, “since their departure.” In a later stage a copiest mistakenly confused מ with ב.<sup>67</sup> Jongeling remarks that this supposition is not necessary, but that it very well may have been the intention of the ruling.<sup>68</sup>

L. 5 נדבה: The noun נדבה appears 26 times in the Hebrew bible and is commonly rendered as “freewill offering.” The interpretation “volunteer” is also attested in Psalm 110:3. The voluntary aspect of the war is also stressed in other Qumran Scrolls.<sup>69</sup> According to Carmignac, the regulation that all men must be volunteers is inspired by Deut 20:5-8 and is applied in 1 Macc 3:56.<sup>70</sup> Jongeling explains that in Deut 20:5-8 it is said that a person who is about to build a house, or to plant a vineyard, or who is about to get engaged, or who is frightened, does not have to go to war. It is *allowed* that they return home. In 1 Macc 3:56 these categories of persons are demanded to go home. The *War Scroll* does not speak about the first three categories. 1QM 10:5.6 speak about the נדיבי לב, “willing hearted” and the מסי לב, “melted hearts.” It is said that those who have a melted heart will become strong hearted, not that they will leave. Nothing is said about the other categories. Perhaps this text departs from the idea that these three categories do not partake in a real battle.<sup>71</sup> Jongeling does not wish to translate “volunteers,” because he is of the opinion that there is also an obligation to serve in the war. In his opinion, a rendering of the word נדבה as “generous” would be more appropriate, because a rendering “voluntary” indicates that there is a

<sup>64</sup> Carmignac, *La Règle de la Guerre*, 104.105, n. 140.

<sup>65</sup> Lohse, *Die Texte*, 295, n. 22.

<sup>66</sup> Yadin, *The Scroll of the War*, 290.

<sup>67</sup> Carmignac, *La Règle de la Guerre*, 105.

<sup>68</sup> Jongeling, *Le rouleau de la guerre*, 195.

<sup>69</sup> e.g. 1QM 10:5; 1QS 1:7.11; 1QS 5:1.6.8.10 (hitp participle); 1QS 6:13; 9.5; Hodayot 14:24.26; 15:10; Micha Commentary 10:7. See also the enumeration by Carmignac, *La Règle de la Guerre*, 105.

<sup>70</sup> Carmignac, *La Règle de la Guerre*, 105.

<sup>71</sup> Jongeling, *Le rouleau de la guerre*, 195-196.



distinction between this category and those who are compelled. The expression “generous” would indicate that the warriors must be full with devotion to the war. They must give themselves and dedicate body and heart.<sup>72</sup> Although this latter state of mind may have been important, Jongeling’s interpretation is too subjective and therefore not accepted in this study. For this reason, the rendering “volunteer” is preferred.

L. 5 עתודים: The word עתודים, “ready,” occurs more often in the *War Scroll*.<sup>73</sup> This is also true for ליום נקם, “the day of vengeance.” The idea of a יום נקם also occurs in the Hebrew bible, for example, in Is. 34:8; 61:2; 63:4; Jer 46:10; Prov 6:34. It is possible that the same expression also occurs in 1QM 15:3.<sup>74</sup>

L. 6 ממקורו: The term ממקורו has the preposition “of” and a pronominal suffix. The word can be literally translated as “of his source.” The word מקור, “source,” is also used for a “blood flux” (of a woman in childbirth) in Lev 12:7. Perhaps the same meaning is meant in the somewhat vague expression of Psalm 68:27 “you who are of the מקור of Israel.”<sup>75</sup> In Prov 5:18 the term is metaphorically used for “husband.” Used for a male, the term must refer to a flux. In Deut 23:11 it is called קרה לילה and in 1 Sam 20:26 מקרה. Deut 21:11 says that anyone who is not pure from a קרה לילה may not enter the camp. It is likely that 1QM alludes to this latter text, although it does not use the same wording. The words איש אשר לוא טהור with the מ of מן are attested in Deut 23:11, but the expression קרה לילה is rendered in 1QM as ממקורו, without a reference to the night. Carmignac pointed to the fact that the LXX has a formula that resembles the expression ממקורו, namely ἐκ ῥύσεως αὐτοῦ. For this reason, Carmignac suggested that the author of the *War Scroll* and the LXX used a different *Vorlage* than Deuteronomy. However, Carmignac seems to overlook that the complete expression in the LXX is ἐκ ῥύσεως αὐτοῦ νυκτός. Therefore, Carmignac’s idea cannot be maintained. The reason why 1QM 7:6 does not refer to the nightly circumstance of the seminal emission, may be that the *War Scroll* sees a problem in every seminal emission – also the ones that may occur during the day - after which no purification rituals are carried out.

<sup>72</sup> Jongeling, *Le rouleau de la guerre*, 196.

<sup>73</sup> See 1QM 6:16; 10:5.

<sup>74</sup> Carmignac, *La Règle de la Guerre*, 105.

<sup>75</sup> Jongeling, *Le rouleau de la guerre*, 196.

L. 6 יחד: According to Carmignac, the word יחד, “together,” is intentionally placed at the end of the sentence to stress its assonance with the preceding ירד.<sup>76</sup>

L. 6 ורוח יהיה: Delcor and Del Medico translated “and the spirit will be.” Dupont-Sommer has “and the spirit of YHYH,” by assuming that יהיה is an equivalent of יהוה, YHWH. A rendering for רוח as “spirit,” however, is unlikely, taken the context into account. It is more sensible to vocalize וְרֵחַ, “space, distance” instead.<sup>77</sup>

L. 6-7 ורוח יהיה בין כול מחניהמה למקום היד כאלפים באמה: According to Jongeling, the words כול מחניהמה, “all their camps” signifies here the camps that are erected during the diverse campaigns in the twenty-nine years of warfare. 1QM 2:10 states that the holy war comprises of diverse campaigns and it appears that the camp is erected one time here, and the other time there. But in every camp the situation must be as is prescribed here.<sup>78</sup>

L. 7 מחניהמה: The suffix מה- is longer than the appearance of the suffix in biblical Hebrew. In Qumranic Hebrew, however, the suffix מה- occurs more often than the shorter form הם.<sup>79</sup> Jongeling points to its almost exclusive usage in allocutions and benedictions, as, for example, in 1QM 12.<sup>80</sup>

L. 7 למקום: The ל before מקום corresponds to the preposition בין. Dupont-Sommer begins a new phrase with למקום: “as for the place.” Delcor translates “in stead of (the power), who is attached to the spirit will be.” He thinks of a sanctuary. These interpretations are unlikely. Carmignac initially understood the ל in an attributive sense (together with Vermès, Burrows and Dupont-Sommer) and translated “a place between all their camps, for the place of the hand, of approximately two thousand cubits.”<sup>81</sup> In his commentary, Carmignac rejects this translation because the troops would all have stayed within the boundaries of only one camp (see 1QM 3:13) and its four subdivisions (that are also called “camps” in 1QM 3:14) would certainly not have been separated by a space of two thousand cubits (nearly one kilometer). This is the reason why he later adopts the position of Van der

<sup>76</sup> Carmignac, *La Règle de la Guerre*, 107.

<sup>77</sup> Carmignac, *La Règle de la Guerre*, 107; Jongeling, *Le rouleau de la guerre*, 197.

<sup>78</sup> Jongeling, *Le rouleau de la guerre*, 197.

<sup>79</sup> See Qimron, *The Hebrew of the Dead Sea Scrolls*, 58. The suffix מה- is used 70 times, as against the suffix הם-, which is used only 17 times.

<sup>80</sup> Jongeling, *Le rouleau de la guerre*, 197.

<sup>81</sup> Carmignac, “Précisions apportées,” 352, n. 4.

Ploeg and Bardtke, who relate the ל to בין.<sup>82</sup> The translation then becomes as follows: “a place, between all their camps and the place of the hand, of approximately two thousand cubits.” This interpretation is undoubtedly correct.

L. 7 היד: The word יד, “hand” is a euphemism for toilet, which is borrowed from Deut 23:13. This text states that there will be a יד outside the camp. The text envisages a place where one could do his natural needs.<sup>83</sup>

L. 7 וכול ערות דבר רע לוא יראה סביבות כול מחניהם means “nudity,” “shame,” “something indecent, bad.” The text can be literally translated as “and any nudity of something bad shall not be seen.” Jongeling says that the ו can best be translated in a final sense, because in this part of the phrase the goal of the ordinance is expressed. The parallel passage in Deuteronomy proscribes the obligation to make a hole to cover the excrements, and the prohibition of immodest nudity is linked to the prescription that there must be a יד. According to Jongeling, the expression ערות דבר does not only pertain to excrements but to every kind of behavior. In the camp decency and purity must be observed. This is the reason why there is “an apart” and this place must also be kept pure. In 1QM the expression is different: דבר רע is preceded by ערות in the construct state. The question here is as to how the total expression must be understood. דבר רע means: something bad, despicable, inferior. According to Jongeling the word could, as a parallel to ערות, mean “nudity.” It is unavoidable that one should do his natural needs. But the enterprise has something inferior or despicable. It is better when this is not seen in public.<sup>84</sup>

L. 7 סביבות כול מחניהם: This expression can be translated as “in the surroundings of all their camps.” Jongeling points to the fact that the term סביבות is often used as a preposition.<sup>85</sup> The words כול מחניהם in this part of the line must be interpreted in the same way as כול מחניהם at the beginning of the phrase. Dupont-Sommer translates these words both times in the singular: “their whole camp,” which is grammatically possible. However, this rendering is not acceptable for the beginning of the line, when one takes the context into account. When the words כול מחניהם are interpreted as a singular, the meaning of the words “there must be a distance of about 2000

<sup>82</sup> Carmignac, *La Règle de la Guerre*, 107.

<sup>83</sup> Carmignac, *La Règle de la Guerre*, 107; Jongeling, *Le rouleau de la guerre*, 197; Lohse, *Die Texte*, 295, n. 25; Duhaime, *War Scroll, and Related Documents*, 111.

<sup>84</sup> Jongeling, *Le rouleau de la guerre*, 198.

<sup>85</sup> Jongeling, *Le rouleau de la guerre*, 198.

cubits between their whole camp and the pace apart” is unclear. In Dupont-Sommer’s interpretation and punctuation of the words וְרוּחַ יְהִי the singular translation is suitable, but this interpretation is not acceptable. In sum, if one renders the first כֹּל מַחְנִיָּהם at the beginning of the phrase in plural, one should also translate the second כֹּל מַחְנִיָּהם at the end of the phrase in plural.<sup>86</sup>

#### *Translation*

- 3b And no young boy or any woman at all shall enter the camps when they leave  
4 Jerusalem to go to war, until they return. And no lame, blind, paralyzed person nor any man who has an indelible blemish on his flesh, nor any man afflicted with an uncleanness  
5 of his flesh, none of these will go out to war with them. All these shall be volunteers for the war, perfect in spirit and in body, and ready for the day of vengeance. And every  
6 man who is not pure from his “spring” on the day of battle will not go down with them, for the holy angels are together with their armies. And there will be a space  
7 between all their camps and the toilet of about two thousand cubits. And no immodest nakedness will be seen in the surroundings of all their camps.  
8 *blank*

#### *4.2.2.1 Discussion*

1QM 7:3b-4 relates that the warriors leave Jerusalem to the camps from which the eschatological battle is performed. Women and children will not accompany the warriors when they leave Jerusalem, which is the home port. The military base is in the camps.<sup>87</sup> In line 4 the text continues with an enumerations of persons who may not “go out to war”: anyone lame, blind, paralyzed, with an indelible blemish in the flesh, or anyone who suffers from an uncleanness of the skin is not allowed to join the warriors in the battle. From the text itself, it cannot be solidly concluded that the exclusion of disabled persons takes place at the same moment as the exclusion of women and children. Although it is likely that the expressions לֹא יִבְּאוּ לַמַּחְנֵה לֹא יִלְכוּ לַמַּלְחָמָה in 1QM 7:3b-4 and בְּצֵאתָם מִירוּשָׁלַיִם לֵלֶכֶת לַמַּלְחָמָה in 1QM 7:5 can be regarded as equivalents, it is also possible to read 1QM 7:5

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<sup>86</sup> Jongeling, *Le rouleau de la guerre*, 198.

<sup>87</sup> Jongeling, *Le rouleau de la guerre*, 195.

together with the following line. In the following section, this problem is addressed in more detail.

The list of physical disabilities listed in 1QM show resemblances with the list of disabilities that exclude priests from officiating in Lev 21:16-24.<sup>88</sup> This latter text enumerates fourteen categories of bodily disabilities, a summary of which 1QM seems to reflect in a divergent order. This is illustrated in the following chart:

<i>Blemishes in Lev 21:18-21</i>	<i>Blemishes in 1QM 7:4b-5a</i>
עור	פסח
פסח	עור
חרום	חגר
שרוע	
שבר רגל	
שבר יד	
גבן	
דק	
תבלל בעינו	
גרב	איש מנוגע בטמאת בשרו
ילפת	
מרוח אשך	

The words פסח, “lame,” עור, “blind” occur in both texts, but there are more indications for dependence of 1QM on Leviticus 21. Firstly, the word כול, “every,” appears twice in the expression כל־איש אשר־בו מום, “every man who has a blemish” in Lev 21:18.21. Secondly, in the enumeration the blemishes in both texts are connected by the word או. Thirdly, 1QM also uses the word מום, “blemish,” in combination with the word איש, “man,” and the preposition ב, “in.” The wording of Leviticus 21 is reflected slightly different in 1QM. The expression איש אשר־בו מום is recast as איש אשר מום עולם בבשרו.<sup>89</sup> This may have been done for two reasons. Perhaps the expression in 1QM is worded differently to specify the character of מום that can also be used for moral blemishes. It is also possible, that the words איש

<sup>88</sup> See for a discussion of the blemishes enumerated in the list, the related comments in chapter 1.2.3.

<sup>89</sup> The term מום עולם is read by Hans Bardtke as מום עולם and hence translated as “Makel ihrer Ungerechtigkeit.” It is, however, far more likely that מום עולם is intended.

אִישׁ מְנוּגַע בְּשָׂרָא בְּשָׂרָא summarize some of the categories of physical disabilities mentioned in Leviticus 21. The two skin diseases in Lev 21:20 (יִלְפַת and גֶּרֶב) are subsequently recast with the words בְּשָׂרָא בְּשָׂרָא.

The word חָגֵר, “crippled,” does not occur in biblical literature, but it is known from later Hebrew and from Aramaic.<sup>90</sup> According to Lohse, the word בָּשָׂר “flesh” is used in this ruling in the sense of “body.”<sup>91</sup> This interpretation may be accurate in the expression מוֹם עוֹלָם בְּשָׂרָא. As was already discussed above, it does not seem to apply to the second expression in which the word בָּשָׂר occurs. Jongeling interprets the expression אִישׁ מְנוּגַע בְּשָׂרָא to refer to a person who suffers from leprosy or another disease that renders a person impure.<sup>92</sup> Jongeling does not explain how he comes to this conclusion, but his interpretation is attractive because it establishes a link with Lev 21:20. Ibba distinguishes between persons who are regarded as ritually unclean in 1QM 7:3 and persons who cannot partake in the battle for two practical reasons. Firstly, persons who are blind or lame are confronted with the physical impossibility of fighting. Secondly, persons who suffer, for example, from contagious diseases, such as leprosy, are excluded because they may contaminate others. This implies that the persons who are unable to exercise are not regarded as unclean themselves.<sup>93</sup>

The fact that the exclusion rule in the *War Scroll* bears heavily on Leviticus 21, sheds light on how the author of the *War Scroll* interpreted the nature of the eschatological battle. It is implied that the battle fought by the sons of light is a holy war. The persons who partake in the battle perform some kind of ministry that is comparable to the ministry of priests.<sup>94</sup>

In 1QM 7: 5-6 an additional exclusion rule appears that addresses a man who had a seminal emission. It is stated that this man may not go down with the warriors to fight in the battle “for the holy angels are together with their armies.” In the previous chapters that discussed the exclusion of various categories of people in the *Rule of the Congregation* and the *Damascus Document*, the presence of holy angels was the main reason for the disqualifications. It is very likely that the author of 1QM knew the tradition contained in the *Rule of the Congregation* and/or the *Damascus Document* and read this text in tandem with Leviticus 21. The presence of

<sup>90</sup> Jongeling, *Le rouleau de la guerre*, 195.

<sup>91</sup> Lohse, *Die Texte*, 295, n. 23.

<sup>92</sup> Jongeling, *Le rouleau de la guerre*, 195.

<sup>93</sup> Ibba, *Rotolo della Guerra*, 126.

<sup>94</sup> Jongeling, *Le rouleau de la guerre*, 195.

holy angels in this pericope is not the first reference to these holy beings in the *War Scroll*. 1QM 1:10.11 already mention this kind of divine presence.

It is not immediately clear whether the presence of holy angels should also be connected with the exclusion of women, children, or with the disqualification of physically blemished persons. A close reading of the pericope shows that the text discusses at least two different periods in which it was decided who could join the warriors. The first period is when the warriors leave Jerusalem to reside in the war camps. The second period is the day of the battle (1QM 7:6) when the man, unclean of his seminal emission, cannot fight in the war. As was already stated above, it remains problematic at which moment the exclusion of physically blemished persons takes place.

This question is important, because it gives information about the status of the camp and the rationale for the exclusion of disabled persons. The presence of holy angels gives the camp or the battle a special status of increased holiness. If it appears to be the case that disabled persons are excluded because of the presence of holy angels, it is implied that disabled persons are in themselves not holy enough to participate in the battle. This is the rationale contained in the *Rule of the Congregation* and the *Damascus Document*. If, however, the exclusion of disabled persons takes place when the warriors leave the home base Jerusalem, the rationale for the exclusion seems to be rooted in practical military considerations. An investigation of a recension of the *War Scroll* found in Cave 4 may shed new light on this problem.

#### 4.2.3 Text and Translation of 4Q491 frags. 1-3:6-10

4Q491 frags. 1-3 lines 6-10 parallels 1QM 7:3-7. Q491 f1-3:6 lists, though in a slightly different order, three of the same categories of persons that are excluded from the warfare in 1QM 7:3-5, namely, the woman, the young boy and an afflicted person (אשה ונער זעטוט וכול איש מנוגע; cf. כול נער זעטוט; cf. אשה ונער זעטוט וכול איש מנוגע in 1QM 7:3 and אשה ונער זעטוט in 1QM 7:4-5). Because of the occurrence of these three parallel categories, the question may be posed as to whether the text also refers to physically disabled persons. Unfortunately, the fragments are badly damaged and the preserved text does not contain any reference to the exclusion of persons who suffer from various physical disabilities, such as the lame, blind, paralyzed and the person who has a

permanent blemish on his flesh. There may be a possibility, however, that originally a reference to these persons is made in one of the lacunas in the text.

This paragraph contains the transcription of the (partly reconstructed) text of 4Q491. It investigates where a possible reference to physical deformity most likely could have been placed and to what extent this regulation could have paralleled the regulation in 1QM. These questions are posed to find out to what extent it is likely that 4Q491 referred to persons with physical disabilities in the parts of the document that are now lost.

### *Text*<sup>95</sup>

- 6 וזה הסרך במחנותמה וב[...מה וב]חלוקותמה מ[...מים סביבה מחוץ. [...ואשה ונער  
זעטוט וכול איש מנו]גע בטמאת בשרו [...]  
7 [המער]כה ואנשי החדש [וה]מ[צ]רף ופקודים להיות אנ[שי] [...]. יאיהם  
למשמותמה ב[...]. המערכה עד שובמה ואלפים אמה יהיה בין ה[מחנות למקום  
היד וכול]  
8 ערוה לוא יראה סביבותמ[ה] ובצאתמה לערוך המלחמה [להכ]ניע [אויב יהיו] מהמה  
פטורי[ם] {להכני[ע] אוי[ב]} בג[ו]רל {ל} שבט<sup>1</sup> שבט לפיא פקודיו לדבר יום [ביומו]  
9 היום ההואה מכול שבטיהמה[י] אצאו מחוצה למחנות אל בית מו[ן] עד ... י[צאו אליהמה  
ה[כותנ]ים והלויי[ם]} וכול שרי המחנות וערו שמה לפני[ם] [...]  
10 לא'פים ו'מאיות ולחמשים ולעו[ש]ר[ות] וכול איש לוא יהיה[ם] טהור ממקורו בלי[ה]  
ההואה לו[א] יב[וא] אתמה למלחמה כיא מלאכי קודש במערכותמה יח[ד] [...]

### *Textual Notes*

L. 6: וזה: At the beginning of this word there is a small hyphen in the right margin as sign of a new section. Similar hyphens are also visible in lines 1, 4, 14, 16, 18, and 19.

L. 6: וכול איש: 1QM 7:4 has או instead of וכול.

L. 7: ללכת למלחמה עד שובם: 1QM 7:4 reads עד שובמה. 1QM does not contain the words from המערכה to המערכה in 4Q491 f1-3:7.

L. 7: ואלפים אמה יהיה בין ה[מחנות למקום היד], "There are to be two thousand cubits between the camps and the toilet." 1QM 7:6-7 has a different wording: "And there will be a space between all their camps and the toilet of about two thousand cubits." It must

<sup>95</sup> See Maurice Baillet, "La Règle de la Guerre (Premier Exemplaire: M<sup>a</sup>)," in DJD 7, 12-44, especially 13-17, plates V-VI. See also PAM 41.889; 42.045; 42.473; 42.474.



be taken into consideration that the sentence is reconstructed and that neither the camps, nor the lavatory are preserved in 4Q491.

L. 8: סביבותם[ה]. The entire word on the manuscript is סביבותיהם[ה]. The photograph of the fragments shows, however, that the scribe deleted -הי- by placing a dot on both characters.<sup>96</sup> This is why a reading סביבותמה is preferred.

L. 8: [ה] סביבותם לוא יראה ערוה, “And no nakedness shall be seen in their surroundings.” 1QM 7:7 reads וכול ערות דבר רע לוא יראה סביבות כול מחניהם “And no immodest nakedness will be seen in the surroundings of all their camps.”

L. 8: לערוך המלחמה. This phrase refers to the arrangement of the troops in the fight, rather than to the preparation of the war or its organization.<sup>97</sup>

L. 8: {להכניע} [ע אוי]. This scribal error, indicated by strike-through by the hand of the scribe, is probably a dittography of the words להכניע אויב a few words earlier.<sup>98</sup> The remains of the ע are faded. The characters before the ע are reconstructed.

L. 8: {ל} שבט שבט: Originally, the scribe wrote לשבט שבט and corrected this in שבט ושבט by placing a dot above and under the ל, and by adding a supralinear ו before the second שבט.

L. 8: [ביומו] לדבר יום: According to Baillet, these words refer to liturgical service.<sup>99</sup>

L. 9: היום ההוא: These words also occur in line 11 and in 1QM 17:5, and refer to the day of the actual battle.

L. 9: בית מן[עד], “the house of meeting.” This expression is an equivalent of the more known אהל מועד, “the tent of meeting.”

L. 10: לא פים. The scribe initially forgot to write the second ל, and later inserted it supralineary. The right margin is damaged, which makes identification of the first two characters difficult. A stroke at the beginning of the line indicates that a ל can be reconstructed as the first character of the word. Left of the פ and the supralinear ל, the remains of a faded א can be discerned.

L. 10: מאיות. Again, a ל was added above the line.

<sup>96</sup> See DJD 7, plate V.

<sup>97</sup> Baillet, DJD 7, 17.

<sup>98</sup> Also noted by Duhaime, *War Scroll, and Related Documents*, 142, n. 11

<sup>99</sup> Baillet, DJD 7, 17.

L. 10: ולעושר[ר]ות. Part of the word is lost due to damaged leather. Remains of ש and the second ו are visible, which makes it sensible to reconstruct a ר as sixth character. This leads to a reading of the word as ולעושרות, “to the tens.”

L. 10: , וכול איש אשר לוא יהיה] טהור ממקורו בלי]לה ההואה “And every man who is not pure from his ‘spring’ that night.” Between the word יהיה and the last two extant characters of בלילה the leather has completely disintegrated. The lacuna, which has a width of about two centimeters, leaves room for a reconstruction of approximately 16 characters and spaces. 1QM 7:5-6 reads וכול איש אשר לוא יהיה טהור ממקורו ביום המלחמה, “And every man who is not pure from his ‘spring’ on the day of battle.” The characters לה— after the lacuna indicate that this manuscript did not contain a reading ביום המלחמה. When the word is reconstructed as בלילה, however, and the remainder of the phrase in 1M 7:5-6 is added in the lacuna, the total of characters and spaces to be reconstructed is 16. This reconstruction is very likely and fits excellently in the space of the lacuna.

L. 10: לוא ירד אתם לון]א יב]וא אתמה למלחמה. 1QM 7:6 reads לוא ירד אתם, without a reference to the battle. Duhaime suggests that this may be due to 1QM’s use of ירד, instead of בוא in 4Q491.<sup>100</sup> Yet, in the commentary on 4Q491 below it is argued that the reference to the battle in 4Q491 f1-3:10 has important implications for the interpretation of the ruling.

L. 10: ,כיא מלאכי קודש במערכותמה יה]ד “for the holy angels are together with in their lines.” This phrase appears in a different form in 1QM 7:6, which reads: ,כיא מלאכי קודש עם צבאותם יהד “for the holy angels are together with their armies.”

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<sup>100</sup> Duhaime, *War Scroll and Related Documents*, 144, n. 14.

*Translation*

- 6 This is the rule in their camps and in [their ... and in] their divisions [...] ...  
round about, outside [...] And the woman, the young boy, everyone who is  
afflict[ted with an uncleanness of his flesh...]
- 7 [(of) the li]ne, and the smiths [and the] sm[el]ters, and those enlisted to be [...] their [...] in accordance with their divisions [...] in the line until their return.  
*Blank.* There are to be two thousand cubits between the [camps and the toilet,  
and no]
- 8 nakedness shall be seen in their surroundings. And when they go out to  
arrange the battle, [to humil]iate [the enemy, there shall be] among them  
(some) allotted [{to humilia]te the enem} by drawing lots, from each tribe,  
according to the enlisted men, for [each] day's task.
- 9 That day, all the tribes [shall] go out of the camps to the house of me[eting...] towards them [shall] go the [priest]s, the levites, and all the chiefs of the camps. *Blank.* And they shall pass there in front of [...]
- 10 in thousands, /in/ hundreds, in fifties and in tens. And every man who is not [pure from his «spring»] that [nig]ht, [shall] no[t g]o with them to battle, for the holy angels are toget[her] in their lines [...]

**4.2.4 A Possible Reference to Physically Deformed Persons in 4Q491  
*frags. 1-3***

Above was stated that the regulation of 1QM 7:3b-8 has a parallel in one of the 4QM fragments (4Q491 *frag.* 1-3:6). This regulation is not identical and the preserved text of this heavily damaged manuscript does not contain a reference to disabled persons. It is possible, however, that originally a reference to disabled persons was made in parts of the manuscript that are now lost. This paragraph analyses the possibility of such a reference.

The most likely place for a reference to physically disabled persons would be in the vicinity of the woman, the young boy and a person who is afflicted with something. Duhaime already noted that in 4Q491 at least some of the words from לוא to בּבשרו in 1QM 7:3-4 are missing.<sup>101</sup> Just before and immediately after this enumeration the text of 4Q491 has two lacunas. It is unlikely that a reference to disabled persons was made in the lacuna after the enumeration of the woman, the young boy and the afflicted person. The left margin of the entire column is lost and this makes it impossible to determine

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<sup>101</sup> Duhaime, *War Scroll, and Related Documents*, 142, n. 6.

how many character spaces are lost at the end of the line. From the wordings at the end of line 7, however, it can be inferred that at least some words are missing. At the end of this line a ruling on the situation of (presumably) the toilet appears that is also attested in 1QM 7:6-7, although in a different organization. 1QM 7:6-7 uses the words וְרוּחַ יִהְיֶה בֵּין כּוֹל מַחֲנֵיהֶמָּה לְמַקּוֹם הַיָּד כְּאַלְפִים בְּאַמָּה, “and there will be a space between all their camps and «the place of the hand» of about two thousand cubits.” In 4Q491 frags. 1-3:7 the words וְאַלְפִים אָמָה יִהְיֶה בֵּין הַ] have been preserved. Thus, the end of line 7 may have contained a reference to the camps and the toilet, which at least requires the words מַחֲנוֹת, “camps” and מַקּוֹם הַיָּד, “the «place of the hand».” Line 8 begins with the word עֶרְוֹת, “nakedness,” probably referring to the ban on immodest nakedness which also follows the regulation for the place of the toilet in 1QM 7:7. The ruling in 1QM 7:7 uses the words וְכוֹל עֶרְוֹת דְּבַר רַע, “And no immodest nakedness will be seen in the surroundings of all their camps.” This is a slightly different wording than the preserved words עֶרְוֹת לֹא יִרְאֶה סְבִיבוֹתֶיהֶמָּה, “nakedness shall not be seen in their surroundings,” in 4Q491 frags. 1-3:8. It may, however, be expected that this new ruling regarding nakedness started with the vowel ו. In this case it is likely that the ruling started with וְכוֹל, parallel to the ruling in 1QM 7:7. Because there is no space to reconstruct these characters at the beginning of line 8, they originally must have been written on the end of line 7. Consequently, the last words following a *blank* in 4Q491 frags. 1-3:7 can be reconstructed as וְאַלְפִים אָמָה יִהְיֶה בֵּין הַ]מַּחֲנוֹת לְמַקּוֹם הַיָּד וְכוֹל].<sup>102</sup> This reconstruction indicates that the total number of character spaces before the left margin lost in line 7 must have been at least twenty.

Because the lost words at the end of line 7 can be reconstructed with relative certainty, an estimation of the number of lost character spaces at the end of line 6 also becomes easier. The damage to the left side of the fragment in line 6 is slightly bigger than in line 7 and approximately four more character spaces than in line 7 are missing. This brings the total of lost character spaces before the left margin in line 6 to an estimated total of 24. The right margin of the column is preserved in some lines, and on the basis the preserved margin of lines 5 and 6 it becomes clear that at the beginning of line 7 approximately six character spaces are lost. The total amount of character spaces in the entire lacuna after the words אִישׁ וְנָעַר זַעֲטוּט וְכוֹל אִישׁ

<sup>102</sup> For this reconstruction see also García Martínez and Tigchelaar, *DSSSE II*, 970.

מנו] in line 6 thus can be estimated at approximately 30 and this limits the possible words in the reconstruction of the lacuna. This means 24 character spaces before the left margin in line 6 and six character spaces at the beginning of line 7. It is reasonable to assume that the lacuna begins with the last two characters of the word מנוגע, “afflicted” the beginning of which is preserved. A comparison with the text of 1QM 7:3b-5 further indicates that the word מנוגע was probably followed by the expression בשרו בשרו, “with an uncleanness of his flesh,” which is also attested in 1QM 7:4-5. Further, it may be expected that the lacuna contained something as the verbal clause לוא יבוא, “shall not enter” (1QM 7:3b), or לוא ילכו, “shall not go out” (1QM 7:5), excluding these three categories of people parallel to the regulation in 1QM 7. The use of the verb הלך seems to fit best for two reasons. Firstly, 4Q491 frags. 1-3 line 5 also uses the verb in the expression לוא ילכו. The beginning of 4Q491 frags. 1-3 line 7 contains the remains of a word ending with כה- or מה-. This could make a case for the possibility that the wording from line 5 is taken up again in the lacuna of line 6-7 and that the first word of line 7 was למערכה.<sup>103</sup> Yet, it is also possible that 4Q491 adopts the wording of 1QM 7:5 למלחמה לוא ילכו אתם למלחמה, which implies that the first word of line 7 must be reconstructed as למלחמה. This latter solution seems more appropriate, but is hard to prove. One would expect to see traces of the ל just below the beginning of line 6 in the right margin, but this is not the case. The photographs do not reveal whether the ל is not visible because it was never there, or whether the character was rubbed off due to damages to the fragments.<sup>104</sup> In sum, there are two possible reconstructions of the lost text in the lacuna at the end of line 6 and the beginning of line 7 that also match the available estimated amount of character spaces. The first possible reconstruction for the ruling on the exclusion of the woman, the young boy and the afflicted person in lines 6-7 is: ואשה ונער זעטוט וכול איש מנוגע בטמאת בשרו לוא ילכו למערכה, “and no woman, young boy, or any person afflicted with an uncleanness of his flesh shall go towards the line.” In this reconstruction, the total amount of character spaces at the end of line 6 is 22, and the amount of character spaces at the beginning of line 7 is 5, which is very close to the estimated

<sup>103</sup> See for a reconstruction of the first word of 4Q491 frags. 1-3 line 7 as מערכה: DJD 7, 13; Duhaime, *War Scroll, and Related Documents*, 142; García Martínez and Tigchelaar, *DSSSE* II, 970.

<sup>104</sup> See PAM 41.847 and: DJD 7, plate V. The right margin is constructed from three small fragments and the fragment containing the beginning of line 6 seems to suffer from a tear.

total of 24 and 5 character spaces at the end of line 6 and the beginning of line 7 respectively. The second possible reconstruction is: ואשה ונער זעטוט, וכול איש מנוגע בטמאת בשרו לוא ילכו (אתם) למלחמה, “and no woman, young boy, or any person afflicted with an uncleanness of his flesh shall go out to war with them.” The total amount of character spaces in this reconstruction is 26 or 22 at the end of line 6 and 5 at the beginning of line 7.

Both reconstructions fit in the available space of the lacuna quite well, but if one of the reconstructions above is correct, there is certainly no place to add one or more physical disabilities after the three mentioned categories of people. Because the text of 4Q491 differs from 1QM and appears in a different order, it is also possible that the large lacuna before the words ואשה ונער זעטוט in line 6 referred to persons with physical disabilities who are excluded from warfare. The amount of estimated lost line spaces in this lacuna is approximately 27. This already indicates that it is impossible that 4Q491 contained all the mentioned physical disabilities enumerated in 1QM 7:4.<sup>105</sup> Moreover, some of the character spaces must be used to specify the word מחוץ, “outside,” that precedes the lacuna. The combination of the words מן and חוץ rarely occurs in the Qumran writings and nowhere is it used in a context in which the word סביב is also attested. This means that no parallel text is available to reconstruct a possible context for the missing words in line 6. Since this cannot be done, it is impossible to argue either for or against the likelihood that an enumeration of physical disabilities preceded the words ואשה ונער זעטוט.

#### 4.2.5 The Status of “the Camps” in 4Q491 frags. 1-3:6-10 and 1QM 7:3b-8.

Although it cannot be stated with certainty whether 4Q491 contained a reference to persons with physical disabilities, the text is still important for this study. A comparison between the passages under consideration in 4Q491 and 1QM reveals that despite the similarities there are also some important differences. One of the differences was addressed in the preceding paragraph and related to the different order in which the excluded woman,

<sup>105</sup> וכול פסח או עור חגר או איש אשר מום עולם בבשרו would necessitate 45 character spaces instead of the available 27. See also Duhaime, *War Scroll and Related Documents*, 142, n. 6: “4QM1 lacks at least some of the words from לוא (7.3) to בשרו או (7.4) in 1QM.”

young boy and afflicted person appeared in both texts. A quick evaluation of both texts also reveals that 4Q491 treats different subjects and has a slightly different structure than 1QM. These differences are important, because they provide insight into the way in which both texts viewed the status of holiness and purity of the camps during the war. When ideas about holiness and purity are diverse, this may also affect the way in which persons who possibly pose a threat to holiness and purity are treated. This paragraph examines how the difference in structure of 1QM and 4Q491 affects the ideas about the status of the camps and how it influences opinions about the social status of those who are allowed or not allowed to be present there.

The order and the contents of the topics treated in both texts differ remarkably. Because the bottom part of 1QM 6 is lost, the contents of this part of the column remains uncertain. Column 7 starts with the prescription that the various offices in the army have age limits: the proper age for the men of the array is between forty and fifty, the camp governors must be between fifty and sixty years old and the proper age for supervisors is between forty and fifty. The rest of the prescribed army tasks are to be carried out by men between twenty-five and thirty. After the enumeration of the age limits the exclusion of the young boy and the woman follows as a distinct category from the physically disabled and unclean persons who are listed in the proceeding part of the line. In 1QM 7:5 it is explained that all who go to war must be perfect in spirit and in body. Apparently, the woman, the young boy, the physically disabled and the unclean person do not meet these standards. At the end of 1QM 7:5 and in 1QM 7:6 an additional remark is made: if a man is of the correct age and if he meets the standards listed in the preceding section, he has to make sure that he has cleansed himself ממקורו, “of his spring” on the day of the battle. It appears from line 6 that all these prescriptions are needed כיא מלאכי קודש עם צבאותם, “because the holy angels are together with their armies.” The last two regulations before a *blank* of one complete line in 1QM 7:8 pertain firstly to a prescribed space between “all their camps” and “the place of the hand” of about two thousand cubits. The second prescription forbids “immodest nakedness” in the surroundings of “all their camps.” In sum, the order of topics discussed in 1QM 7:1-8 is:

- 1) age limits (1QM 7:1-3)
- 2) exclusion of young boy and woman from warfare (1QM 7:3-4)
- 3) exclusion of lame, blind, paralyzed, persons with an indelible blemish on the flesh, and unclean persons from warfare (1QM 7:4-5)
- 4) requirement that all warriors are to be perfect in spirit and body (1QM 7:5)
- 5) exclusion from warfare of man who did not cleanse himself after his "spring" (1QM 7:6)
- 6) presence of holy angels (1QM 7:6)
- 7) prescribed space of about two thousand cubits between the camps and "the place of the land" (1QM 7:6-7)
- 8) prohibition of immodest nakedness near the camps (1QM 7:7)

The text of 4Q491 frag. 1-3:5-10 is quite different from 1QM 7:1-8. Although the fragments are severely damaged, it is possible to define some of the topics the text discusses. According to Duhaime, the first part of 4Q491 fragments 1-3 (lines 1-5) contains a speech about the princes of the congregation. This speech can be divided into three parts. The first part recalls the punishment of Korah and his congregation (lines 1-2). The second part promises the help of the angelic hosts (line 3), and the third part explains the role of the princes of the congregation (lines 4-5). After the section on the princes of the congregation in 4Q491 frag 1-3:1-5, a set of regulations meant for the time of the war follows (lines 6-20). The rulings are introduced at the beginning of line six with the words: וזה הסדר, "and this is the rule (to observe) in their camps." The rulings also contain a concluding phrase in lines 19-20 beginning with the words ככול ...הסדר, "according to all (this) rule ...." The set of rulings cover four topics. The first topic is contained in lines 6-10 and discusses purity and exclusion. In line 7, 4Q491 mentions three categories of persons that do not appear in 1QM, namely the smiths, the smelters and persons who are enlisted to do something (אנשי החרש והמצרף ופקודים להיות אנשי). The second set of rules applies to the formation of the troops (lines 11-15). Thirdly, rules for the movements of the troops (lines 15-17) follow, and the fourth set of rules discusses the role and garments of the priests (lines 17-18).<sup>106</sup>

<sup>106</sup> See Duhaime, *War Scroll and Related Documents*, 143, n. 1. For a comparison between 4Q491 frags. 1-3 and 1QM see also: Idem, "Étude comparative," 459-472.



The most striking difference between the two texts is the placement and wording of the requirement that a man who had a seminal emission has to purify himself before the battle.<sup>107</sup> In 1QM 7 the regulation for the person who is impure due to a seminal emission follows immediately after the exclusion of certain groups of people and the requirement that the warriors must be perfect in spirit and body. The remarks about the place for the toilet and the prohibition of immodest nakedness follow after the presence of angels is mentioned. The *blank* line of line 8 indicates that a new literary section is introduced in line 9. Apparently the rules in 1QM 7: 3b-8 relate to the time in which the warriors have left Jerusalem and reside in the camp to prepare for the battle. In the camps the entrance of women, young boys, persons with bodily defects and persons who are afflicted with an uncleanness of the body, is prohibited.

The same reasoning seems to lie behind the regulations in 4Q491 that exclude the woman, the young boy, the person who is afflicted with something, and perhaps persons with physical disabilities. Line 6 informs the reader that in the proceeding text, regulations are given that apply in the camps and in other situations, probably in the battle lines. From the extant text it can be concluded that lines 7-8a deal with camp matters. Lines 8b-10 seem to relate to a situation in which the warriors have left their camps and are going to perform the actual battle.<sup>108</sup> Interestingly, the regulation that a man who has not cleansed himself from his seminal emission may not go to war occurs in the latter section dealing with the actual battle (4Q491 frags. 1-3 l. 10). This has an important consequence. In 4Q491 the angels of holiness are only present when the warriors go from the camp via the tent of meeting to the battle. It appears as though the angels are not present in their camps. Thus, there are two possible moments at which the warriors can be excluded. The first selection is made when they leave from Jerusalem to go to their camps.<sup>109</sup> The second time a warrior is checked is just before the war, when they actually will go out to fight. Thus on the one hand there are regulations to ensure the purity and sanctity of the camp. These regulations are described in lines 6-8. On the other hand, there is one extra requirement

<sup>107</sup> This moment "before the battle" is more precisely described in 4Q491 as "on that night," that is the night preceding the battle.

<sup>108</sup> This can be inferred from the expressions used in lines 8b-10: המלחמה לערוך (l. 8); ובצאתמה לערוך המלחמה (l. 9); היום ההוא מכול שבטיהמה [י]אצאו מחוצה למחנות (l. 10).

<sup>109</sup> Although Jerusalem is never mentioned as the city from which the warriors leave to their camps.

when the warriors go out to warfare. The fighting seems to require an extra state of ritual purity. This extra care for purity is expressed by the mention of the presence of holy angels in their lines.

It is not immediately evident that the phrase **כִּי־מַלְאכֵי־קוֹדֶשׁ עִם** in 1QM 7:6 not only relates to the regulations concerning the man who has not purified himself from his seminal emission, but also to the regulations that exclude the woman, the young boy, the persons with physical disabilities, and the afflicted persons. Because the reference to angels is made in the literary section that is devoted to the situation within the camps, it is equally unclear, as to whether the angels are thought to be present in the camps or only during the actual battle. A closer examination of the text, however, reveals that it is more likely that the regulation for the man who had a seminal emission only counts **בְּיוֹם הַמִּלְחָמָה**, “on the day of the battle,” in a situation in which the warriors leave their camp and go out to fight. Admittedly, the regulation seems out of place here and seems to fit better in the context of 4Q491. The redactor of the text may have inserted this regulation here because he connected it to the other rules of exclusion in lines 3 and 4.

In this light, the interpretation of the restored **וְכֹל־אִישׁ מִנוֹגַע בְּטִמְאַת** [...] **בְּשָׂרוֹ** as all kinds of physical impurities in line 6 does not seem accurate. It is practically impossible to stay in the camp for some time and remain ritually clean during the whole time of the war. But it is possible to discern between adults and youngsters, men and women, physically perfect and imperfect persons. In my opinion, it is better to interpret the words in 1QM 7:4-5 and 4Q491 *frags.* 1-3 literally as a reference to a special kind of uncleanness that only appears “in the flesh,” that is to say “in the skin.”<sup>110</sup> A well-known example of skin ailment that is treated as an impurity is the skin disease called **צִרְעָת**, “*vitiligo*.”<sup>111</sup> Ailments of the skin leading to exclusion from holy activities can also be inferred from Lev 21:20. This text excludes priests with various physical disabilities from performing the sacrificial ritual. Among these disqualifying blemishes are the ailments called **גֵּרַב**, “scab disease,” and **יִלְפָת**, “lichen.”<sup>112</sup>

<sup>110</sup> See also Jongeling, *Le rouleau de la guerre*, 195. This also seems to be implied by Ibba, *Rotolo della Guerra*, 126.

<sup>111</sup> See Leviticus 13. For the meaning of the word **צִרְעָת** see, a.o.: Ludwig Koehler and Walter Baumgartner (eds.), s.v. “**צִרְעָת**,” in: *The Hebrew and Aramaic Lexicon of the Old Testament. Study Edition. Volume II* (Leiden/Boston/Köln: Brill: 2001), 1057.

<sup>112</sup> See for an elaborate discussion of these terms chapter 2.2.3.

### 4.3 Conclusion

This chapter focused on the largest extant version of the *War Scroll* (1QM), which contains a regulation that disqualifies various categories of people to join the warriors in the eschatological war (1QM 7:3b-8). Among those who are not allowed to participate in the battle are persons who are lame, blind, paralyzed, who have a permanent blemish in the flesh, or who suffer from a skin problem. A similar ruling is also found in one of the War Scroll-like documents from Cave 4 (4Q491 f1-3:6-10). This document is severely damaged and the parts of the document that survived do not contain a reference to persons with disabilities. This chapter showed, that such a reference could have been expected to be part of 4Q491, but also demonstrated that the document certainly could not have contained all the disabilities enumerated in 1QM 7:4-5, because there is simply not enough space in the lacuna to reconstruct all of these. If 4Q491 had referred to physical blemishes, the reference would have been limited to the person afflicted with an uncleanness of his flesh (אִישׁ מְנוּגֵעַ בְּטִמְאַת בָּשָׂרוֹ), i.e., a person with a skin disease. For this reason, it is impossible to conclude with certainty that among the categories excluded in 4Q491 f1-3:6-10 the document originally also listed disabled persons.

4Q491 is not an exact copy of 1QM but a witness of a similar tradition that is also contained in 1QM. It was shown that the regulation that excludes certain classes of people from warfare differs in both texts. The most important difference pertains to the placement of the regulation about purification after a seminal emission and the reference to the presence of holy angels. It appeared that the placement of these two elements had implications for the interpretation of the entire section. The rules in 1QM apply to the period in which the warriors prepare to reside in the camps. It can be concluded from the text that the camps are no place for women, minors, disabled persons, or persons who are ritually impure. The structure of 4Q491 f1-3:6-10, however, points to an alternative interpretation. Parallel to 1QM 7, women, young boys, and afflicted persons are not allowed to reside in the camps. Yet, the reference to the man who has to purify himself after a seminal emission and the presence of holy angels must be read in another context. These literary elements are placed in the time of the actual battle. Thus, in 4Q491 the holy angels are said to be present only during the war, and not during the warriors' stay in the camps. This implies that 4Q491 knows of two different moments in which it was decided who could join the

eschatological army. Firstly, a selection was made when the warriors left Jerusalem to reside in the camps. At this particular moment, those unfit for battle had to stay behind. A second selection is made on the day of the battle. In order to partake in the eschatological battle, warriors not only had to be perfect in spirit and body, but also ritually clean. This concern is stressed by mentioning the presence of the holy angels in their lines.

The analysis of the *War Scroll* material showed that the texts both had very explicit ideas about who was capable of fighting together with the Angels of Holiness in the war against the Sons of Darkness. Women, minors and persons with various kinds of bodily defects and skin ailments are deemed unsuitable for participating in the war and may not leave with the warriors to their camps. The text does not state that these persons are disqualified to reside in the camps because they are unclean. Therefore, the exclusion seems to be based on practical military considerations. Because ritual impurity is easily attracted in daily life, it would be impossible to maintain stringent purity regulations inside the camps. Especially in a war context, warriors would easily attract ritual impurity in the act of killing. Yet, the location of the toilet and the prohibition of immodest nakedness show that warriors had to make an effort to maintain the highest level of purity possible.

# 5

## The Blind and Deaf in 4QMMT B 49-54

### 5.1 Introduction

Qumranic literature is rather ambiguous when it comes to views on persons with disabilities. One way to gain insight into attitudes towards disability is to study how and to what extent the subject is reflected in Qumranic halakha. One important source for this endeavor is a Qumran document found in Cave four called, “*Miqṣat Ma‘aśe Ha-Torah* (MMT),” which can be translated as “some works of the Torah.” Although studying this document confronts scholars with many uncertainties and questions, MMT is one of the most important sources for contemporary understanding of the way in which the members of the Qumran community reflected their identity and ideas in their legal practices.

MMT does not seem to treat disability as an independent halakhic category, since the document only discusses the subject of blind and deaf persons. Yet, this does not automatically imply that rulings considering blind and deaf persons did not affect persons with other kinds of disabilities. This chapter studies the meaning of the ruling on blind and deaf persons in 4QMMT itself and investigates the way in which MMT treats disability in the halakhic part of the document with special attention to the social implications for persons with a disability within and possibly also outside the Qumran community. Before these issues are discussed, this chapter first introduces the document and its content. Secondly, a reconstruction of the

text, containing the ruling about blind and deaf persons, will be presented and is followed by textual notes and a translation.

### 5.1.1 The 4QMMT Fragments

The official edition of 4QMMT marked a very important phase in Qumran scholarship.<sup>1</sup> Not only because the long-awaited publication was surrounded by severe juridical upheaval,<sup>2</sup> but also because the document itself and its content fed Qumran scholarly debate with many new questions and theories. The official edition discusses fragments of six MMT manuscripts<sup>3</sup> which are dated from 75 BCE to 50 CE and which belonged to the numerous fragments that were found between 1953 and 1959 in Qumran Cave four. These were purchased by the Palestine Archaeological Museum, later known as the Rockefeller Museum.<sup>4</sup> Although the manuscripts of MMT were already “identified, transcribed, materially reconstructed and partly combined into a common text”<sup>5</sup> by 1959, it took thirty more years before the official presentation of the document took place.<sup>6</sup> Not until 1984 did Elisha Qimron

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1 E. Qimron and J. Strugnell, *Qumran Cave 4.V: Miḡsat Ma‘aše Ha-Torah* (DJD 10; Oxford: Clarendon Press, 1994), cited here as DJD 10. For a concise introduction to the text see: John Kampen and Moshe J. Bernstein, “Introduction,” in: John Kampen and Moshe J. Bernstein, *Reading 4QMMT. New Perspectives on Qumran Law and History* (SBLSymS 2; Scholars Press: Atlanta, 1996), 1-7.

<sup>2</sup> For an elaborate report on the publication history of MMT see: Zdzisław J. Kapera (ed.) *Qumran Cave IV and MMT. Special Report* (Krakow: Enigma Press, 1991).

<sup>3</sup> In 2000 Stephen J. Pfann ( “313. 4QcryptA Miḡsat Ma‘aše ha-Torah<sup>g</sup>?,” in: S.J. Pfann e.a. [eds.], *Qumran Cave 4. Cryptic Texts and Miscellanea, Part I* [DJD 36; Oxford: Clarendon Press, 2000], 697-699) identified two fragments with cryptic text from MMT among the five fragments previously designated 4Q313 (cryptA Unclassified Fragments). The five fragments were regrouped into four distinct manuscripts, 4Q313-313c of which the MMT manuscript is represented as 4Q313. The semi-formal cryptic script on the two 4Q313 fragments is dated to the second to the third quarter of the first century BCE. The present study will not discuss the fragments Pfann identified as MMT since they do not contain previously unknown material and they do not refer to blind and deaf persons.

<sup>4</sup> See for the dating: DJD 10, 109; for the individual manuscripts 4Q394-399 see DJD 10, 3-6, 14, 15-18, 21-25, 29-34, 38-39.

<sup>5</sup> DJD 10, vii.

<sup>6</sup> Until then, very few references to the document were made. See: J.T. Milik, “Le travail d’édition des manuscrits du Désert de Juda,” *Volume du Congrès; Strasbourg 1956* (VTSup 4; Leiden: Brill, 1957), 24; M. Baillet *et al.*, “Le travail d’édition des fragments manuscrits de Qumrân,” *RB* 63 (1956), 65; P. Benoit *et al.*, “Editing the Manuscript Fragments from Qumran,” *BA* 19 (1956), 94; J.T. Milik (in: M. Baillet, J.T. Milik, and R. de Vaux (eds.), *Les ‘Petites Grottes’ de Qumrân: Exploration de la falaise, les grottes 2Q, 3Q, 5Q, 6Q, 7Q à 10*

and John Strugnell greatly impress their fellow Qumran scholars with their description of MMT at the International Meeting for Qumran Studies in Jerusalem<sup>7</sup> and much was expected from the official publication, which was supposed to occur soon after the meeting, but actually happened almost ten years later.<sup>8</sup>

Five out of the six MMT manuscripts are inscribed on leather (4Q394-4Q397), but the remnants of 4Q398 are written on papyrus. Hanne von Weissenberg is of the opinion that papyrus fragments 4Q398 1-9 belonged to a different manuscript than fragments 4Q398 11-17. According to her, the material of the papyrus of fragments 4Q398 1-9 differs from that of fragments 4Q398 11-17. There are also indications that fragments 4Q398 11-17 were written by another scribe.<sup>9</sup>

All manuscripts are incomplete and in a bad condition and none of the extant manuscripts contain a complete version of the document. 4Q394 is the only manuscript with remnants of a calendar on the first three lines. 4Q394-4Q396 contain text from the halakhic part, but not from the epilogue. 4Q397 and 4Q398 contain text from both the halakhic part and the epilogue, but if the idea is accepted that fragments 4Q398 1-9 and 4Q398 11-17 belonged to different manuscripts, then the epilogue and the list of laws are not part of the same manuscript. 4Q399 only contains a few words from the end of the epilogue. In order to reconstruct the whole document, the fragments of the six manuscripts were taken together and a composite text of about 130 lines was made.<sup>10</sup>

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*Q, le rouleau de cuivre* [DJD 3; Oxford: Clarendon Press, 1962], 225) used words and phrases from MMT for his reconstruction of the *Copper Scroll*.

<sup>7</sup> E. Qimron and J. Strugnell, "An Unpublished Halakhic Letter from Qumran," in: J. Amitai, *Biblical Archaeology Today* (Jerusalem: Israel Exploration Society/Israel Academy of Sciences and Humanities in cooperation with ASOR, 1985), 400-407; E. Qimron and J. Strugnell, "An Unpublished Halakhic Letter from Qumran," *IMJ* 4 (1985), 9-12.

<sup>8</sup> Since the official publication was expected soon, some "unofficial" publications appeared that were based on a circulating photocopy of the editors' handwritten reconstruction of the text. See e.g., L.H. Schiffman, "The New Halakhic Letter (4QMMT) and the Origins of the Dead Sea Sect," *BA* 53 (1990), 64-73.

<sup>9</sup> Hanne von Weissenberg, "4QMMT – Towards and Understanding of the Epilogue," *RevQ* 21 (2003), 31-32.

<sup>10</sup> Qimron, DJD 10, 1 and 44-63; Elisha Qimron, "The Nature of the Reconstructed Composite Text of 4QMMT," in: Kampen and Bernstein (eds.), *Reading 4QMMT*, 9. Before Qimron and Strugnell started cooperating on the text together, Strugnell already had made a reconstruction of the 4QMMT fragments. See Florentino García Martínez, "Discoveries in the Judean Desert: Textes Legaux I," *JSJ* 32 (2001), 71-89.

For the reconstruction, the text of the most complete manuscript is followed and the other manuscripts are used to fill in gaps or uncertainties. Alternative readings of the text appearing in the other manuscripts are presented in the apparatus to the official edition.<sup>11</sup> Of course, the fragments were not put together arbitrarily.<sup>12</sup> The beginning of the document is completely lacking, but the end of the document is preserved on at least two manuscripts (4Q398 and 4Q399). Theoretically the missing part at the beginning of the document could have contained more literary sections. The editors, however, consider this unlikely and suppose that the missing part contained an opening formula and an introduction.<sup>13</sup> The preserved text would have covered about forty percents of the original.<sup>14</sup>

The composite text has an enumeration that does not correspond to the numbers given to the lines of each separate manuscript. In this study, reference will be made to the enumeration of the composite text. As outlined above, MMT must have covered three literary sections: a calendar (A), a halakhic part (B), and an epilogue (C).<sup>15</sup> The editors regarded each literary section as separate units with their own series of line numbers.<sup>16</sup> Thus, the law on blind and deaf persons that is preserved on manuscripts 4Q394 8 iii 19- iv 4 and 4Q396 1-2 ii 1-6 that is listed in the halakhic part of the composite text ("B") is designated in the composite text as 4QMMT B 49-54.

The reconstructed text is widely accepted and referred to by scholars.<sup>17</sup> Read in its composite form, the document contains several indications that MMT as a whole was a kind of letter or tractate addressed by one party to another one. Firstly, the text differentiates between three parties: "we," "you" (singular and plural), and "they." The "we" party is identical to the author or authors of the document and the addressee is spoken to as "you." The party addressed as "they" can probably be identified

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<sup>11</sup> DJD 10, 1-2.

<sup>12</sup> Although Qimron ("The Nature of the Reconstructed Composite Text of 4QMMT," in: Kampen and Bernstein (eds.), *Reading 4QMMT*, 9) says that "[s]ome passages remain a matter of conjecture since no reconstruction based on fragmentary evidence can ever be considered for certain to be an exact reproduction of the original text. Reconstruction is no more than an educated guess on the basis of the scholar's knowledge and intuition."

<sup>13</sup> DJD 10, 1, 109.

<sup>14</sup> Qimron, "Reconstructed Composite Text," 9

<sup>15</sup> A detailed discussion of the document's structure follows in the next paragraph.

<sup>16</sup> DJD 10, 2.

<sup>17</sup> Qimron ("Reconstructed Composite Text," 9-10) advised scholars not to use the composite text independently, but to use the composite text together with the individual manuscripts.



as a group hostile to the Qumran community that is known to both the “we” and the “you” party.<sup>18</sup> A second indication of MMT’s epistolary character is phrase in the epilogue התורה מעשי מקצת אליך, “we have written to you some works of the Torah” (4Q398 14-17 ii 2-3; 4Q399 i 10-11).

The title the editors gave to the document is also taken from the phrase התורה מעשי מקצת אליך כתבנו אנחנו. Because the document itself bears no title, the editors called it *Miqṣat Ma‘aśe Ha-Torah* (MMT) which can be rendered as “some works of the Torah.”<sup>19</sup> This title is a description of the document’s content. The same vocabulary is also used at the beginning of the reconstructed text where the words מקצת דברינו, “some of our regulations” (4Q394 3-7 i 4) and המעשים, “the works, precepts” (4Q394 3-7 i 5) appear.

### 5.1.2 Contents and Composition of 4QMMT

It is likely that MMT originated from an earlier document and that its different parts once existed independently.<sup>20</sup> Without the opening formula, the reconstructed text now consists of three parts (A, B, and C).<sup>21</sup> The middle part (“B”) is the most remarkable and contains some twenty laws concerning

<sup>18</sup> The identity of the parties is hard to determine. The main problem is that since the beginning of the document is completely missing, it does not contain an introductory epistolary formula in which the author identifies himself or the addressee. The document also lacks a concluding epistolary formula, which may raise doubt as to whether MMT is a letter in the first place. Identification of MMT’s addressee(s) is further troubled by the fact that the text alternates between “you” in singular and “you” in plural. This raises the question whether MMT addresses a group of persons or a particular party, or whether MMT is speaking to only one person. The problem of determining the document’s author, addressee and genre is further explored in paragraph 5.1.4.

<sup>19</sup> The document is also known as “4QMishnaic” (Milik, DJD 3, 225), “4QHalakhic Letter” (Qimron and Strugnell, “Unpublished Halakhic Letter,” 400-407), “the New Halakhic Letter” (Schiffman, “New Halakhic Letter,” 64), or “A Sectarian Manifesto” (Michael Wise, Martin Abegg, Jr. and Edward Cook [eds.], *The Dead Sea Scrolls. A New Translation* [London/San Francisco: HarperCollins, 1996], 358).

<sup>20</sup> See DJD 10, 114; Miguel Pérez Fernández, “4QMMT: Redactional Study,” *RevQ* 18 (1997), 191.196-202; Charlotte Hempel, “The Laws of the Damascus Document and 4QMMT,” in: Joseph M. Baumgarten, Esther G. Chazon and Avital Pinnick (eds.), *The Damascus Document. A Centennial of Discovery. Proceedings of the Third International Symposium of the Orion Center for the Study of the Dead Sea Scrolls and Associated Literature* (STDJ 34; Leiden [etc.]: Brill, 2000), 84.

<sup>21</sup> See also E. Qimron, “Miqṣat Ma‘ase Hatorah,” in: *ABD* IV, 843; Qimron, DJD 10, 1

sacrifices, gifts for priests, ritual purity and other issues that one party strongly holds on to and that do not seem to correspond with laws of other Jewish groups. According to Qimron and Strugnell, the two other parts, a calendar and an epilogue respectively, apparently serve as a framework.<sup>22</sup> In the following, each part is discussed separately.

- A) Section A contains a very fragmentary 364-day luni-solar calendar, only found on manuscripts 4Q394 1-2 i-v and 4Q394 3-7 i 1-3.<sup>23</sup> 4Q394 1-2 was first identified as 4Q327 (*4Qmishmarot E<sup>b</sup>*) presumably by Milik,<sup>24</sup> but Qimron and Strugnell placed it above the three calendrical lines of 4Q394 3-7 i 1-3. There has been discussion over the question whether the editors were right to place the five-column wide manuscript 4Q394 1-2 i-v above 4Q394 3-7 i, which is written across the entire column. This observation led to the conclusion that the remains of the five-column manuscript were mistakenly identified as belonging to 4QMMT.<sup>25</sup> As a result, 4Q394

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<sup>22</sup> DJD 10, 1.

<sup>23</sup> For more information on the calendar see e.g., Lawrence H. Schiffman, "The Place of 4QMMT in the Corpus of Qumran Manuscripts," in: Kampen and Bernstein, *Reading 4QMMT*, 82-86; Lawrence Schiffman, "Miqtsat Ma'asei Ha-Torah," in: L.H. Schiffman and J.C. VanderKam (eds.), *Encyclopedia of the Dead Sea Scrolls* (Oxford: Oxford University Press, 2000), 558; Strugnell, DJD 10, 203 and Idem, "MMT: Second Thoughts on a Forthcoming Edition," in: E. Ulrich and J. VanderKam (eds.), *The Community of the Renewed Covenant, The Notre Dame Symposium on the Dead Sea Scrolls* (University of Notre Dame Press: Notre Dame, 1994), 61-62; Steven D. Fraade, "To Whom it May Concern: 4QMMT and its Addressee(s)," *RevQ* 19 (1999/2000), 521-523; James C. VanderKam, "The Calendar, 4Q327 and 4Q394," in: M.J. Bernstein, F. García Martínez, and J. Kampen (eds.), *Legal Texts and Legal Issues: Proceedings of the Second Meeting of the International Organization for Qumran Studies, Cambridge 1995: Published in Honour of Joseph M. Baumgarten* (STDJ 23; Leiden: Brill, 1997), 170-194; James C. VanderKam, *Calendars in the Dead Sea Scrolls: Measuring Time* (Routledge: New York, 1998), 75-76, 120 n. 3.

<sup>24</sup> When Qimron and Strugnell first gave a description of 4QMMT they announced that "at the beginning of this text there is (in one manuscript) a calendar which will be published separately by J.T. Milik," Qimron and Strugnell, "An Unpublished Halakhic Letter," in: Amitai, *Biblical Archaeology Today*, 401. See also DJD 21, 157.

<sup>25</sup> Florentino García Martínez, "Dos Notas Sobre MMT," *RevQ* 16/62 (1993), 293-297; B.Z. Wacholder- M.G. Abegg, *A Preliminary Edition of the Unpublished Dead Sea Scrolls: the Hebrew and Aramaic Texts from Cave Four* (Washington: Dead Sea Scroll Research Council/Biblical Archaeology Society, 1992), 89-91; R. H. Eisenman, M.O. Wise, *The Dead Sea Scrolls Uncovered: A First Complete Translation and Interpretation of 50 Key Documents withheld for over 35 Years* (Shaftesbury: Element Books, 1992), 182-193; VanderKam, "The Calendar, 4Q327 and 4Q394," 179-194.

1-2 was re-edited as 4QCalendrical Document D in DJD 21.<sup>26</sup> From the fact that 4Q394 1-2 does not belong to MMT follows that there are only three extant lines on one of six manuscripts that deal with a calendar. Thus, the question already asked by several scholars before re-editing 4Q394 1-2 i-v as to whether the calendar belongs to MMT at all, now seems to have even more grounds.<sup>27</sup> It is very likely that originally the calendar existed independently. Nevertheless, the fact the calendar, in manuscript 4Q394, is written immediately above the halakhic part, indicates that the scribe of 4Q394 somehow saw a connection between the list of laws and the calendar. Perhaps the scribe found that the calendar also belonged to the sphere of halakha.<sup>28</sup> MMT is not the only Qumran document that combines legal statements with a calendar or calendrical claim. This can be explained by the fact that the correct arrangement of the times and festivals was of vital importance for the members of the Qumran community. At the same time, it was an important topic over which they disagreed with their opponents.<sup>29</sup> Calendar-related notations were placed at the end of community documents, such as 1QS 10, 4QS<sup>e</sup>, and 11QPs<sup>a</sup> 27, or at their beginning, such as in 4QMMT.<sup>30</sup>

- B) Section B begins with an introduction (4QMMT B 1-3) which states that what follows are *מקצת דברינו*, “some of our regulations” (4Q MMT B 1) and these are related to *המעשים*, “the works, precepts” (4QMMT B 2). The vocabulary establishes a link with the words of the epilogue in section C 26-27 *אנחנו כתבנו אליך מקצת מעשי התורה*, “We have written you some works of the Torah,” from which the title for the document was chosen. From 4QMMT B 2-3 follows that the list of laws below apparently covers two topics: ritual purity and

<sup>26</sup> Yet, in its re-edition 4QCalendrical Document D is still listed as 4Q394. See for the re-edition of the manuscript: S. Talmon, J. Ben Dov, and U. Glessmer, *Qumran Cave 4.XVI: Calendrical Texts* (DJD 21; Oxford: Clarendon, 2001), 157-166.

<sup>27</sup> See John Strugnell, “Additional Observations on 4QMMT,” DJD 10, 203; Schiffman, “The Place of 4QMMT,” 83-84. See for more information about the calendar, 4Q327 and 4Q394: VanderKam, “The Calendar, 4Q327, and 4Q394,” 179-194.

<sup>28</sup> Qimron, *ABD*, 844; Y. Sussmann, “The History of *Halakha* and the Dead Sea Scrolls – Preliminary Observations on Miqsat Ma’ase Ha-Torah (4QMMT)” (in Hebrew), *Tarbiz* 59 (1990), 11-76; VanderKam, “The Calendar, 4Q327, and 4Q394,” 183-184.

<sup>29</sup> See VanderKam, “The Calendar, 4Q327, and 4Q394,” 179; DJD 21, 1.

<sup>30</sup> DJD 21, 1; 4QS<sup>e</sup> (4Q259), e.g., contains text of a manuscript known as 4Q319 (4QOtot), (DJD 21, 195-244).

temple matters. The composite text reads: [...] וכו' לם על] "and] all of them concern [...] and the purity of [the... ." Only the second topic, טהרה, "purity," has been preserved on one of the MMT manuscripts (4Q396). Yet, it may be safely assumed that the first topic that now is a lacuna must have contained a word like מתנות, "presents/gifts for the temple and priests" or קרבנות, "sacrifices." Such a term would be in accordance with the character of the *halakhot* that follow.<sup>31</sup> After the short introduction the text continues with a list of the about twenty laws, some of them which can only be partly read.<sup>32</sup> The laws are expressed in a formulaic way: ואף על ... אנחנו אומרים / אנחנו חושבים, "And concerning the ... we say / we are of the opinion ...." The laws cover the following topics<sup>33</sup>:

1. Prohibition of bringing gentile wheat into the temple (B 3-5)
2. Cooking of offerings (fragmentary) (B 5-8)
3. Gentile sacrifices (fragmentary) (B 8-9)
4. Prohibition of leaving cereal offerings overnight (B 9-13)
5. Purity of those preparing the red cow (B 13-17)
6. Purity of hides (B 17-27)
7. Place of slaughtering and offering sacrifices (B 27-35)
8. Prohibition of slaughtering pregnant animals (B 35-38)
9. Forbidden sexual unions (B 39-49)
10. Exclusion of the blind and deaf (B 49-54)
11. Impurity of liquid streams (B 55-58)
12. Prohibition of dogs entering Jerusalem (B 58-62)
13. Fruit of the fourth year (B 62-63)
14. The cattle tithe (B 63-64)
15. Purification rituals of the leper (B 64-72)
16. Impurity of human bones (B 72-74)
17. Prohibition of marriages between priests and Israelites (B 74-82)

<sup>31</sup> Schiffman, "New Halakhic Letter," 65-66.

<sup>32</sup> The exact number of laws cannot be stated with certainty due to the fragmentary character of the manuscripts that preserve the laws. On the one hand, lacunas in the text cause the problem that it is not always clear where one law ends and a new one begins. On the other hand, it is conceivable that the preserved text does not contain all the original laws.

<sup>33</sup> See also: Qimron, *ABD*, 844; Schiffman, *EncDSS*, 558-559.

The list of laws in MMT is different from the laws on similar topics known from biblical writings. In some instances it seems that the laws are based on Pentateuchal laws, although these laws are never cited.<sup>34</sup> Interestingly, MMT uses the quotation formula כְּתוּב, which leads the reader to think that MMT does indeed, although not literally, introduce biblical verses. Although the possibility that MMT cites indirectly from biblical sources cannot be denied, there may be an alternative explanation for the appearance of the formula כְּתוּב.<sup>35</sup> It could refer to possible citations from a non-biblical legislation, such as the *Temple Scroll* or other legislative material from Cave 4.<sup>36</sup> The non-biblical legislation may have played an even bigger role than the Pentateuch. For this reason, Maier states that the term *torah* mentioned in this and other Qumran documents is not identical with the Pentateuch.<sup>37</sup> This would also imply that other possible references to the Pentateuch as “sefer mosheh” and “(ha) sefer” can be understood likewise.<sup>38</sup> The list of laws in 4QMMT is important for the various interpretations of certain juridical passages in the Torah in particular, and its methods of interpretation in general.<sup>39</sup> Moreover, the list of laws provides insight into the development of Jewish halakha and the community for which the texts found in Qumran were important. The common denominator behind the laws is the fear that impure mixes with pure and profane with holy.

- C) Part C contains the epilogue of the document and has a persuasive tone.<sup>40</sup> In this section the purpose of the document becomes

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<sup>34</sup> Johann Maier, *Die Qumran-Essener: Die Texte vom Toten Meer. Band II: Die Texte der Höhle 4* (UTB für Wissenschaft/Uni-Taschenbücher 1863; München/Basel: Ernst Reinhardt Verlag, 1995), 361

<sup>35</sup> M. Bernstein, “The Employment and Interpretation of Scripture in 4QMMT: Preliminary Observations,” in: Kampen and Bernstein (eds.), *Reading 4QMMT*, 39 n. 23: “That כְּתוּב need not introduce a quotation in 4QMMT is clear; whether it can is another issue”; cf. Schiffman, “New Halakhic Letter,” 65, who says that MMT uses כְּתוּב when the Hebrew bible is quoted.

<sup>36</sup> Qimron, DJD 10.140; G.J. Brooke, “The Explicit Presentation of Scripture in 4QMMT,” in: Bernstein et al. (eds.), *Legal Texts and Legal Issues*, 67-88.

<sup>37</sup> Maier, *Die Qumran-Essener*, 361

<sup>38</sup> Cf. Schiffman, “New Halakhic Letter,” 65.

<sup>39</sup> Qimron, *ABD*, 845

<sup>40</sup> DJD 10, 1,111; Kampen and Bernstein, “Introduction,” in: idem, *Reading 4QMMT*, 2,5-6.

The table below contains an outline of the structure of 4QMMT:

	<b>4QMMT</b>
<b>A</b>	364-Day Luni-Solar Calendar
<b>B</b>	Halakhic Part                      a) introduction (4QMMT B 1-3) b) list of laws (4QMMT B 3-82)
<b>C</b>	Hortatory Section

### 5.1.3 Language

<sup>41</sup> As outlined above, the word “Torah” does not exclusively have to refer to the Pentateuch, although the text seems to assume the threefold canon of the Hebrew bible: Torah, Prophets and Writings. See: Schiffman, “The New Halakic Letter,” 66; cf. Timothy H. Lim, “The Tripartite Division of the Hebrew Bible,” *RevQ* 20/77 (2001), 23-37, who questions the alleged reference to the tripartite division of the Hebrew Bible in 4QMMT.

<sup>43</sup> Schiffman, *EncDSS*, 560.

<sup>44</sup> A detailed discussion on the dating of MMT follows below.

*Copper Scroll* may serve as an example here, since Milik identified its language as being Mishnaic, on the basis of the large number of nouns known from tannaitic usage.<sup>45</sup> Yet, one should be careful with the categorization “Mishanaic Hebrew” for it may not be as obvious as it seems. Differences in vocabulary may also be generated by vernacular variants or differences in spoken and written language.<sup>46</sup>

#### 5.1.4 Genre

MMT's genre is very hard to determine. As was already noted above, the beginning of the document is completely lacking and parts A B, and C were probably integrated into one document at a later stage. This, and the fact that the extant manuscripts are in a fragmentary condition, makes it hard to designate the genre of MMT. However, MMT appears to be a key text when it comes to the reconstruction of Qumran history. This reconstruction on the basis of MMT is discussed over and over, because every element of scholarly diversity results in even more scholarly debate. Answering the question on the identity of the document's author(s) for example, could provide new information about the founders of the community. Yet, this problem again raises several other questions, because in answering this question there also needs to be certainty about the historical background of the document. Describing the historical background involves knowledge about the controversies between the different strands of Judaism in a certain period, and information on issues that were more important to one group within the tradition, but not to another. Interpreting MMT's content could shed new light on the way the authors reflected upon their own community, their opponents, the position of the people of Israel, etc. Reconstructing MMT's background and position within Qumranic literature is very difficult, but it is very much required since it has impact on the entire reconstruction of the history of the Qumran community and its literary inheritance.

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<sup>45</sup> DJD 3, 222; Schiffman, *EncDSS*, 560, regards this as an oversimplification because, according to him, “the morphology and syntax resemble in many respect that of the Qumran sectarian texts.”

<sup>46</sup> See Elisha Qimron, “Observations on the History of Early Hebrew (1000 B.C.E. – 200 C.E.) in the Light of the Dead Sea Documents,” in: D. Dimant and U. Rappaport (eds.), *The Dead Sea Scrolls. Forty Years of Research* (STDJ 10; Leiden/Jerusalem: E.J. Brill/Magness, 1992), 349-361, esp.354- 360.

The document is generally interpreted as a letter sent by one of the Qumran community's leaders to the priesthood in Jerusalem or one of its representatives, possibly the high priest.<sup>47</sup> The editors of MMT are of the opinion that the author of the letter can be identified as the Teacher of Righteousness and the addressee as the so-called "Wicked Priest."<sup>48</sup> Part C could provide the purpose of the letter, for it can be read as describing a controversy between the sender and addressee on halakhic matters. The author intended to convince the addressee to adopt the ideas spelled out in part B of the letter. If the interpretation of MMT as a letter is correct, it must be historically placed at the very beginning of the Qumran community's foundation, even before the final separation from the priesthood in Jerusalem. The placement so early in history is based on the observation that the document does not use typical sectarian language and does not employ the dualistic ideology known from other community texts. In this presentation of the document's genre, the letter could provide the reasons for the schism: there was difference of opinion on some halakhic ideas.<sup>49</sup> The identification of the addressee, however, is problematic. From the document itself the picture emerges that the addressees must be priests, but the legal positions reflected in the document seem to correspond to the Pharisaic positions recorded in the Mishna.<sup>50</sup>

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<sup>47</sup>The dominant view has been most strongly advocated by Lawrence Schiffman, see: L.H. Schiffman, "The Temple Scroll and the Systems of Jewish Law of the Second Temple Period," in: G.J. Brooke (ed.), *Temple Scroll Studies: Papers Presented at the International Symposium on the Temple Scroll, Manchester, December 1987* (Sheffield: Sheffield Academic Press, 1989), 239-55; "Miqsat Ma'ašeh Ha-Torah and the Temple Scroll," *RevQ* 14 (1990), 435-57; "The New Halakhic Letter", 64-73; "The Sadducean Origins of the Dead Sea Scroll Sect," in: H. Shanks (ed.), *Understanding the Dead Sea Scrolls* (New York: Random House, 1992), 35-49; "New Halakhic Texts from Qumran," *HS* 34 (1993), 21-33; "Pharisaic and Sadducean Halakhah in Light of the Dead Sea Scrolls," *DSD* 1 (1994), 285-99; *Reclaiming the Dead Sea Scrolls: The History of Judaism, the Background of Christianity, the Lost Library of Qumran* (Philadelphia: Jewish Publication Society, 1994), 73-76, 252-55; "Origin and Early History of the Qumran Sect," *BA* 58 (1995), 37-48; "The Place of MMT in the Corpus of Qumran Manuscripts," in: Kampen and Bernstein (eds.), *Reading 4QMMT*, 81-98; *EncDSS*, 558-60. A more concise outline can be found in: James C. VanderKam, *The Dead Sea Scrolls Today* (Grand Rapids, Mich.: Eerdmans, 1994), 59-60.

<sup>48</sup> See DJD 10, 1; Cf. Schiffman, "New Halakhic Letter," 68; Maier (*Die Qumran-Essener*, 361) states that this idea cannot be proven; Wise *et al.* (*A New Translation*, 358) state that the identification of the author as the Teacher of Righteousness and the addressee as the high priest in Jerusalem is based on an uncertain restoration.

<sup>49</sup> VanderKam, *Dead Sea Scrolls Today*, 60.

<sup>50</sup> See L.H. Schiffman, "The Pharisees and Their Legal Traditions According to the Dead Sea Scrolls," *DSD* 8 (2001), 262-77, esp. 273-77.



The view sketched above had been commonly accepted for many years, although some alternative interpretations have been suggested. As a reaction to Schiffman's presentation of the document in the *Biblical Archaeologist*,<sup>51</sup> Goranson suggested in the same journal that MMT could be regarded as an apocryphal text that was not written in the early days of the Qumran community, but years or decades later. In his opinion, the document could be regarded as a "foundation myth" to justify and provide reasons for the schism from the priestly establishment.<sup>52</sup> The official publication of 4QMMT by Qimron and Strugnell did not deviate much from the overall picture earlier drawn by Schiffman. Although Strugnell also described MMT as a "halakhic letter," he poses some questions to this description by admitting that the beginning of section B has no epistolary character and suggests regarding section B as an independent collection of laws.<sup>53</sup>

Recently the generally held view has been challenged and alternative views have become available. Interestingly, the conception that at least some parts of the document could once have functioned as a letter is still hardly ever questioned. The new insights offer additional interpretations instead of replacing the generally held view.<sup>54</sup> The new interpretations depart from the observation that the extant MMT manuscripts date from 75 BCE to 50 CE. Thus, although it is not denied that originally MMT could have been written in the early days of the Qumran community by one of its leaders to the priestly establishment in Jerusalem, the document apparently was still important some 100 to 200 years later. The alternative interpretations explore how the document could have functioned for the community in the time they were copied since, according to Pérez Fernández, "it is apparent that the letter has come to be understood as "redirected" to the community."<sup>55</sup> In this period, the document could have functioned as an intramurally directed treatise. Just as the view of MMT as a letter provides information

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<sup>51</sup> Schiffman "The New Halakhic Letter," 64-73.

<sup>52</sup> See the commentary by Stephen Goranson inserted into Schiffman's article in *BA* 53 (1990), 71.

<sup>53</sup> According to Strugnell, these laws are modelled after the laws in the book of Deuteronomy. See: DJD 10, 114. In 1996 John Kampen and Moshe Bernstein found Strugnell's proposal problematic, since it would not take into account the, in their eyes, polemic character of the document. In their eyes the list of laws in section B are part of an argument. See: Kampen and Bernstein, "Introduction," in: Idem (eds.), *Reading 4QMMT*, 5.

<sup>54</sup> See Pérez Fernández, "4QMMT: Redactional Study, 191-205; Fraade, "To Whom it May Concern," 507-526; Maxine L. Grossman, "Reading 4QMMT: Genre and History," *RevQ* 20 (2001), 3-22.

<sup>55</sup> Pérez Fernández, "4QMMT: Redactional Study," 193.

about the early days of the Qumran community, so does the interpretation of MMT as an intramurally directed treatise give information about a later period in the history of Qumran.

This study will depart from the most likely explanation of the document's genre and agrees with the observations made by Grossman and Fraade that it is important to comprehend how the document could have functioned at the time when it was copied. From the fact that the extant fragments date from 75 BCE to 50 CE can be drawn that for at least some members of the Qumran community, MMT's content was important for a longer period of time. This makes a strong case for the idea that the document must have been intramurally directed during the time in which the document was copied and kept within the community. From the document's present form there is no urgent evidence to regard it as a letter. There is no epistolary introduction and it cannot be proven whether this was integral to the document at any time. Moreover, the hortatory character of part C does not have to be directed towards outsiders, but may very well be an encouragement for members of the Qumran community to abide by the rules spelled out in part B. The intramural function and the interpretation of part C as a hortation for the community itself raise the possibility that MMT had been used as a kind of communal confession or catechism - at least in the period between 75 BCE and 50 CE.

Research on MMT now mainly concentrates on the following topics:

- 1) The history of the development, community, and ideology of Qumran in relation to its contemporary Jewish context, with special attention to Pharisaic, Sadducean and Essene ideology.<sup>56</sup>
- 2) The relation of MMT to other texts, with particular attention to
  - a) scriptural citation and exegesis<sup>57</sup>

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<sup>56</sup> See e.g., L.H. Schiffman, "The Sadducean Origins of the Dead Sea Scrolls Sect," in: H. Shanks (ed.), *Understanding the Dead Sea Scrolls* (New York: Random House, 1992), 35-49; and cf. O. Betz, "The Qumran Halakhah Text *Miqṣat Ma'ase Ha-Tôrah* (4QMMT) and Sadducean, Essene, and Early Pharisaic Tradition," in: D.R.G. Beattie and M.J. McNamara (eds.), *The Aramaic Bible. Targums in their Historical Context* (JSOTSup 166; Sheffield: JSOT Press, 1994), 176-202, and L.L. Grabbe, "4QMMT and Second Temple Jewish Society," in: Bernstein *et al.* (eds.) *Legal Texts and Legal Issues*, 89-108; Florentino García Martínez, "4QMMT in a Qumran Context," H. Eshel, "4QMMT and the History of the Hasmonean Period," and D.R. Schwartz, "MMT, Josephus and the Pharisees," in: Kampen and Bernstein (eds.), *Reading 4QMMT*, 15-27, 53-65, and 67-80; Grabbe, "4QMMT and Second Temple Jewish Society," 89-108.

<sup>57</sup> See Bernstein, "The Employment and Interpretation of Scripture," 29-51; Brooke, "The Explicit Presentation of Scripture," 67-88.

- b) Qumran scrolls, as there are the *Temple Scroll* and the *Damascus Document*<sup>58</sup>
- c) Rabbinic references to the controversies outlined in MMT<sup>59</sup>
- d) New Testament, especially Paul's Letter to the Galatians<sup>60</sup>
- 3) The halakha of MMT<sup>61</sup>
- 4) The language of MMT<sup>62</sup>
- 5) The literary history and genre of MMT<sup>63</sup>

## 5.2 The Blind and Deaf in 4QMMT B 49-54

4QMMT B 49-54 contains a regulation concerning blind and deaf persons that is not immediately apparent. This paragraph first discusses the two MMT manuscripts on which the regulation appears (4Q394 and 4Q396). Second, the composite text is presented and a detailed discussion of every grammatical, semantical, and textual problem follows. An analysis of the presentation of blind and deaf persons in 4QMMT is provided in paragraph 3.

<sup>58</sup> See e.g., Hempel, "The Laws of the Damascus Document and 4QMMT," 84.

<sup>59</sup> See e.g., Y. Sussman, "The History of the Halakha and the Dead Sea Scrolls. Preliminary Talmudic Observations on Miqsat Ma'ase Ha-Torah," in: DJD 10, 179-200; Y. Elman, "Some Remarks on 4QMMT and the Rabbinic Tradition: or, When Is a Paralel Not a Paralel?," in: Kampen and Bernstein (eds.), *Reading 4QMMT*, 99-128; Azzan Yadin, "4QMMT, Rabbi Ishmael, and the Origins of Legal Midrash," *DSD* 10.1 (2003), 130-149.

<sup>60</sup> See e.g., J. Kampen, "4QMMT and New Testament Studies," in: Kampen and Bernstein (eds.), *Reading 4QMMT*, 129-144; J.D.G. Dunn, "4QMMT and Galathians," *NTS* 43 (1997), 147-153; M. Bachmann, "4QMMT und Galaterbrief, מעשי התורה und ἔργα νόμου," *ZNW* 89 (1998), 91-113; M.G. Abegg Jr., "4QMMT, Paul, and the 'Works of Law'," in: P.W. Flint (ed.), *The Bible at Qumran. Text, Shape, and Interpretation* (Grand Rapids, Mich. and Cambridge, UK: Eerdmans, 2001), 203-216.

<sup>61</sup> See e.g., Elisha Qimron, "The Halakha," DJD 10, 123-177; Joseph M. Baumgarten, "The 'Halakha' in *Miqsat Ma'ase Ha-Torah* (MMT)," *Journal of the American Oriental Society* 116.3 (1996), 512-516; Yaakov Elman, "MMT B 3-5 and its Ritual Context," *DSD* 6.2 (1999), 148-156.

<sup>62</sup> See e.g., Elisha Qimron, "Observations on the History of Early Hebrew," 349-361 and idem, "The Language," in: DJD 10, 65-108

<sup>63</sup> See note 48 and 54.

### 5.2.1 The Fragments (4Q394 and 4Q396)

The regulation for blind and deaf persons has survived on several fragments of the 4QMMT manuscripts 4Q394 8 iii 19- iv 4 and 4Q396 1-2 ii 1-6. Photographs of the manuscripts show that the fragments are damaged, incomplete and only partially overlapping.<sup>64</sup> Nevertheless, a reconstruction of the supposed original text is possible because the other manuscript can fill in the lacunas found in one manuscript. In the case of law about blind and deaf persons, only a few uncertainties in reading remains. Below follow the transcriptions of both fragments based on the photographs of the manuscript printed in DJD 10.

#### 4Q394 8 iii

הסומ[י]ם [ 19  
ותערובת [ 20

*bottom margin*

#### 4Q394 8 iv

*top margin*

1 [א]שם אינם רואים *vacat*  
2 [ ]ף על החרשים שלוא שמעו חוק [ ]שפט וטהרה ולא  
3 [ ]מעו משפטי ישראל כי שלוא [ ]ה ולוא שמ[ ]לוא  
4 [ ]דע לעשות והמה ב[ ]ם לטה [ ]המקדש *vacat*

#### Textual Notes

L. 19 הסומ[י]ם: In lines 10 and 20 of 4Q394 f. 8 iii, only the words immediately preceding the left margin are preserved. After the characters -הסו the leather is damaged. The character left of the ן is almost certainly a מ. Traces of the final character ם— are also still visible, so that a reconstruction as ם[י]הסומ becomes very likely.

L. 1 שם[א]: Traces of the character ש can be clearly discerned on the manuscript. The right margin of column iv is damaged, but the photograph of the manuscript shows that originally there was only one character space

<sup>64</sup> For 4Q394 8 iii 19 – iv 4 see PAM 43.377; Mus. Inv. 335 and DJD 10, Plate III. For 4Q396 1-2 ii 1-6 see PAM 41.638; Mus. Inv. 520 and DJD 10, Plate IV.

before the characters –שם. In the comments on the composite text it is explained in detail why שם[א] is the most likely reconstruction.

#### 4Q396 1-2 ii

<i>top margin</i>	
שאינם [ ]	1
רואים להזהר מכל תער[ ]ם אינם	2
ר[ ]ם ואף על החר[ ]שמעו חוק	3
ומש[ ] וטהרה ולא שמעו מ[ ]ישראל	4
כי שלוא ראה ולוא שמע לוא [ ]עשות והמה	5
באים לטהרת המקדש	6

#### *Textual Notes*

L. 1 שאינם: Column two of 4Q396 is preserved on two fragments. The first fragment, on which the right margin of column 2 and the left margin of column 1 are preserved, contains the largest portion of text. The word שאינם is written on the second and smaller fragment of column ii. This fragment only contains one or two words of the first five lines of the left margin of column ii. When fragments 1 and 2 of column ii are put together, a considerable part of the text is still missing. This explains the lacunas one or two words before the left margin in each line.

L. 3 ר[ ]ם: A hole in the manuscript damaged the words at the beginning of lines 3 and 4. In line 3, only the upper part of the word is preserved, which makes it possible to reconstruct ר[ ]ם.

L. 3 ואף: Although it can hardly be seen on the photograph, Qimron and Strugnell state that “[t]here is a clear trace of *waw* before אפ, though most of it has gone with the loss of the surface.”<sup>65</sup>

#### 5.2.2 Composite Text

In the case of the ruling on blind and deaf persons, more text is preserved on manuscript 4Q394 than on 4Q396. For a reconstruction of the supposed original text it is therefore better to follow 4Q394 and to fill in the lacunas or uncertain readings with help of 4Q396. In the composite text below, the text outside brackets is the text from 4Q394. On places where 4Q394 has a lacuna, text from 4Q396 is filled in. This text is written between brackets and is underlined. For the sake of clarity, the enumeration of lines Qimron and Strugnell proposed in the official edition is used. Text between brackets

<sup>65</sup> DJD 10, 19.

that is not underlined refers to proposed readings where both 4Q394 and 4Q396 cannot be used to fill in a lacuna.

#### 4QMMT B 49-54

ואף על[י] הסומ[ים]	49
[שאינם רואים להזהר מכל תערובת] ותערובת	50
[א]שם אינם רואים <i>vacat</i>	51
[וא]ף על החרשים שלוא שמעו חוק [ומ]שפט וטהרה ולא	52
[ש]מעו משפטי ישראל כי שלוא [רא]ה ולוא שמ[ע] לוא	53
[י]דע לעשות והמה ב[אי]ם לטה[רת] המקדש <i>vacat</i>	54

#### Translation

49 Also concerning] the bl[i]nd

50 [who cannot see as to beware of every single mixtur]e:

51 they cannot see the offence *blank*

52 [Also concern]ing the deaf, who cannot hear law, or [judg]ment or precept and who cannot

53 [h]ear the judgments of Israel. Because who cannot see or cannot hear does not

54 [kn]ow how to act. And they app[roac]h the the pure [objects] of the sanctuary. *Blank*

### 5.3 Comments

Because the text of 4QMMT B 49-54 needs much explanation, every element that needs clarifying is discussed separately.

L 49 ואף על[י]

The phrase ואף על is reconstructed but very probable since many of the rulings of which the opening has been preserved begin with this phrase.<sup>66</sup> As Qimron and Strugnell already noted in the official edition of 4QMMT, the structure in 4QMMT B 49-54 is problematic. If the restoration is correct, the regulations concerning blind and deaf persons contain two sentences that begin with the phrase ואף על but in both sentences it is unclear what should be taken as the predicate. Although the possible predicate להזהר is suggested

<sup>66</sup> See e.g., 4Q394 3-7 i 16; 4Q396 1-2 ii 3; 4Q396 1-2 iii 4; 4Q397 1-2 1; 4Q397 6-13 4.

for the first sentence, the editors reject this suggestion. If להזהר would be taken as predicate the two sentences would lack parallelism in structure. It is proposed to regard the two sentences beginning with ואף על as defective sentences. In this case the predicate should be supplied from the phrase להיות יראים מהמקדש in 4QMMT B 49a.<sup>67</sup> The editors show how this works in their translation of the composite text in the paragraph on the halakha pertaining to the blind and deaf by adding the explanatory phrase להיות יראים מהמקדש from 4QMMT B 49a as a predicate. Note that this phrase is not found in the Hebrew text at this place. Their translation, with the added phrase italicized, is as follows:

“And also concerning the blind who cannot see as to beware of all mixture, and cannot see the mixture that incurs reparation-offering: and concerning the deaf who have not heard the laws and the judgements and the purity regulations, and have not heard the ordinances of Israel. *They, i.e. both the blind and the deaf, should revere the sanctuary.* Since he who has not seen or heard does not know how to obey the law: nevertheless they have access to the sacred food.”<sup>68</sup>

Although it cannot be denied that the 4QMMT B 49-54 contain an appeal for reverence for the sanctuary, his solution is conjectural and should therefore be avoided. It is preferable to go with the editors’ third suggestion to regard the two sentences as rubrics which introduce the references to blind and deaf persons in B 49 and B 52 respectively. Although the blind and deaf persons are introduced separately by the phrase ואף על the concluding statement in 4QMMT B 53-54 shows that the subject of the blind and deaf must be regarded as one single halakha. The words כי שלוא ראה ולוא שמע לוא ידע clearly point back to both blind and deaf persons.<sup>69</sup> Although the preceding and the following halakhot also deal with purity matters, this halakha can be treated independently from the preceding and the following halakhot and there is no need to supply the predicate from the preceding phrase.

As many of the halakhot in MMT, the regulations concerning blind and deaf persons are introduced with the particle phrase ואף על (4QMMT B

<sup>67</sup> DJD 10, 160.

<sup>68</sup> DJD 10, 160.

<sup>69</sup> See DJD 10, 135, n. 32; 160.

49.52). This is one of the characteristics of the stereotyped manner in which the laws of MMT are formulated and which serves the document's polemical purposes. Although there are several ways in which the halakhot of MMT are formulated most rulings – and also the ruling in 4QMMT B 49-54 – consist of three elements which respectively are:<sup>70</sup>

- 1) an opening particle phrase *וְעַל* or *וְאֵף עַל*, “and concerning.”
- 2) a noun, or nouns, or a nouns phrase by which the subject of the halakha is specified
- 3) a statement reflecting the view of the sect or that of the opponents. This statement always contains a personal pronoun in the third or in the first person followed by a plural particle. In the case of the halakha on blind and deaf persons, this statement follows later, after the incipit of the halakha.<sup>71</sup>

The author of the document somehow regarded a person's blindness or deafness as problematic. For an understanding of this fragment L 53-54 are of most importance, because it seems as though these lines provide the whole point of the regulation. However, as will be discussed below, scholars are anything but unanimous when it comes to the interpretation of these lines. The difficulties are both in the grammar as in the semantics of the text.

#### L. 49 הַסּוּמָ[י]ם

This is the first occurrence of the root סָמַי in Hebrew literature and this root only occurs once in Qumranic literature. The form used here is morphologically a participle masculine plural from the root סָמַי. The biblical root for blind is עוּר and in Qumran literature this root also seems the general denominator for “blind.” Interestingly, in rabbinic literature the root עוּר seems to have disappeared almost completely. The general root used for “blind” in the rabbinic period is סָמַא. Qimron and Strugnell note that “although the verb appears frequently in MH with an *'alep* (סוּמָא), the verb is conjugated as *lamed-yod*.<sup>72</sup> This is also the case in MMT. The etymology of סָמַי/א is unclear. In his 1997 dissertation on the social role of blind persons and attitudes toward the blind in New Testament times, Felix Just makes a proposal to explain the rabbinical switch from the use of the root

<sup>70</sup> For other wordings of halakhot in 4QMMT see DJD 10, 135-137.

<sup>71</sup> See DJD 10, 135; also 135, n. 35

<sup>72</sup> DJD 10, 98.



עור to the root סמי.<sup>73</sup> Firstly, he makes the observation that the term could have been used for others than only blind persons, because MMT adds the phrase שאינם רואים, “who cannot see.” He then goes on to note that the root טמא and the root טמא are very close to each other. He wonders whether the two could be etymologically related to each other by suggesting an intentional wordplay. This wordplay appears when it is taken into account that blind persons could have been considered as unclean (טמא) by the author of MMT who was the first to use this root for “blind” instead of the root עור. Just tentatively proposes that 4QMMT B 49-50 could have been meant: “And concerning *those impure persons* who cannot see...”<sup>74</sup> Although this is a very interesting observation, it cannot be maintained that the author of MMT regarded blind (or deaf) persons as impure. What can be stated with certainty is that the author somehow regarded these persons as threatening the purity in some way. They did so, not because they were impure in themselves, but only because לעשות לוא ידע שמע לוא ראה, “he who does not see or does not hear does not know how to act” (4QMMT B 53-54) as the text clearly explains.

#### L. 50 שאינם רואים]

The use of the participle construction here to indicate a present tense is not typical of biblical Hebrew, which would use the imperfect or either the perfect or imperfect with stative verbs.<sup>75</sup> The construction is typical of Mishnah Hebrew and in the plural it usually denotes a customary action. According to Qimron and Strugnell the plural participle in MMT refers to the incorrect practice of the author’s opponents.<sup>76</sup>

Qimron and Strugnell remark that the apposition רואים must indicate that the before mentioned סומים are blind in both eyes.<sup>77</sup> Just notices that this regulation must apply to everybody who is incapable of seeing and does not leave out those who became blind at a later stage in their lives. According to him, this is in contrast to what is said of deaf persons, as will be discussed below. This observation is important because it shows that

<sup>73</sup> Felix N.W. Just, *From Tobit to Bartimaeus, From Qumran to Siloam: The Social Role of Blind People and Attitudes Toward the Blind in New Testament Times* (Dissertation Yale University 1997), 43-44.

<sup>74</sup> Just, *From Tobit to Bartimaeus*, 44.

<sup>75</sup> DJD 10, 80.

<sup>76</sup> DJD 10, 80.

<sup>77</sup> DJD 10, 52.

although blind persons could have understood and known the purity regulations their visual handicap would make it hard or even impossible not to trespass the purity laws.<sup>78</sup> Qimron *et al.* and Just not seem to draw the conclusion that the phrase שאינם רואים makes clear that the ruling apparently did not apply for persons who were blind in one eye or had not lost their sight completely. This means that in this instance the author of MMT did not regard the eye diseases mentioned in Lev 21:18.20 (תבלל בעין and עור) per se as a threat to purity.<sup>79</sup> It is the action that results from the disability that could be dangerous.<sup>80</sup>

L. 50-51 להזהר מכל תערובת [א]שם אינם רואים

It is possible to regard the infinitive construct nifal להזהר as the predicate of the whole sentence, but it is more likely to consider it as the complement of תערובת. <sup>81</sup> Scholars have connected the words תערובת ותערובת אשם in their interpretation of these lines. Yet, it is not clear what the words תערובת אשם refer to. The uncertainty pertains to the exact meaning of the twofold תערובת<sup>82</sup> as also to the reconstruction and meaning of the word [א]שם.

In the official edition, Qimron and Strugnell rendered the noun תערובת as “mixture” in both instances. Yet, the exact meaning of the noun תערובת is unclear. It does not occur in biblical Hebrew, which means that the translation is based on earlier texts, such as the documents found in Qumran and rabbinic literature. The word תערובת can be used to describe the result of all kinds of blending, for example of wool and linen, waters, and money and

<sup>78</sup> Just, *From Tobit to Bartimaeus*, 178.

<sup>79</sup> There is some debate over the question whether the root עור exclusively refers to persons who are blind in both eyes. See e.g., Karl Elliger, *Leviticus* (HAT 4; Tübingen: J.C.B. Mohr/Paul Siebeck, 1966), 278, who translates עור as “Einäugiger” 278; Baruch A. Levine, *The JPS Torah Commentary. Leviticus ויקרא* (Philadelphia/New York/Jerusalem: The Jewish Publication Society 1989) 145, who says that “[t]he Hebrew adjective ‘ivver, “blind,” may refer to a person who has only one good eye or who has lost one eye; it does not necessarily connote total blindness”; Jacob Milgrom, *Leviticus 17-22. A New Translation with Introduction and Commentary* (AB.3a; New York: Doubleday 2000), 1826.

<sup>80</sup> See also Aharon Shemesh, ““The Holy Angels are in Their Council”: The Exclusion of Deformed Persons From Holy Places in Qumranic and Rabbinic Literature,” *DSD* 4.2 (1997), 201, n. 60 and Saul M. Olyan, “The Exegetical Dimensions of Restrictions on the Blind and the Lame in Texts From Qumran,” *DSD* 8.1 (2001), 39, n. 3.

<sup>81</sup> See DJD 10, 52.

<sup>82</sup> 4Q396 1-2 ii 2 differs from 4Q394 8 iii 20-iv 1 in that the former does not contain the first תערובת. However, this does not seem to effect the overall interpretation of these lines

this can have the connotation of mixing pure with impure.<sup>83</sup> For this reason the translation “mixture” is frequently used as an interpretation of תַּעֲרֹבֶת in 4QMMT B 50.<sup>84</sup> García Martínez and Tigchelaar render the noun as “uncleanness.”<sup>85</sup> Although this latter interpretation seems to match within the context, it still remains somewhat difficult. It is evident that uncleanness can be the result of an illicit mixture, but for “uncleanness” it would be more likely to use a noun of the root טָמָא.<sup>86</sup> Both interpretations, “mixture” on the one hand and “uncleanness” on the other, seem to fit when it comes to the first תַּעֲרֹבֶת, but the meaning of the second תַּעֲרֹבֶת in combination with אִשָּׁם (“the mixture/ the impurity of the sin-offering) remains uncertain.

Examining the contexts in which תַּעֲרֹבֶת is used in the Qumran scrolls could shed new light on the problem. In Qumran literature the noun appears twelve times, eight times in MMT and four times in the *Temple Scroll* (MSS 11Q19 and 11Q20).<sup>87</sup> The eight occurrences of the noun in MMT appear on five different fragments of four manuscripts. Three of them are in the law on blind and deaf persons. Because this law is written on two relatively well-preserved manuscripts, the noun can be read in its context. As shown above, in this case the context does not provide an opportunity to give a persuasive explanation. Unfortunately, there is almost no context in the three fragments of the two other poorly preserved MMT manuscripts containing the noun תַּעֲרֹבֶת.<sup>88</sup> Consequently, it is equally difficult to establish a meaning for the noun on the basis of these manuscripts. Of the *Temple Scroll* manuscripts, only 11Q19 45:7 and 50:2 can be of help, since the occurrences of תַּעֲרֹבֶת in 11Q20 12:1 and 14:6 are reconstructed.<sup>89</sup> The word תַּעֲרֹבֶת in 11Q19 45: 7 is before a blank and marks the end of a ruling starting in 11Q19 44:3. The ruling divides the store-rooms between the

<sup>83</sup> See Jastrow, s.v. “תַּעֲרֹבֶת,” *Ibid*; references can be found in: *Y. Kil.* VIII, 31c (mixture of woven materials), *Y. Shek.* VI, 50a (mixed waters), *Y. Yoma* I, 38d (mixed money).

<sup>84</sup> See DJD 10, 53; Maier, *Die Qumran-Essener*, 365; Eisenman and Wise (*The Dead Sea Scrolls Uncovered. The First Complete Translation and Interpretation of 50 Key Documents Withheld for Over 35 Years* [Shaftesbury/Rockport/Brisbane: Element, 1992], 195), and Wise *et al.* (*A New Translation*, 361) avoid the issue by translating “polluting mingling.”

<sup>85</sup> García Martínez and Tigchelaar, *DSSSE* II, 793 and 797.

<sup>86</sup> Cf. 1QSa 2:3.

<sup>87</sup> See 4Q394 8 iii 18.20; 4Q396 1-2 ii 2; 4Q397 5:6; 4Q398 4:2; 4Q398 5:3; 11Q19 45:7; 11Q19 50:2; 11Q20 12:1; 11Q20 14:6.

<sup>88</sup> See for 4Q397 5:6 PAM 42.717; for 4Q398 4:2 and 5:3 PAM 43.489.

<sup>89</sup> See for 11Q19 45:7 PAM 5045; for 11Q19 50:2 PAM 5050; for 11Q20 12:1 PAM 43.978 and for 11Q20 14:6 PAM 44.117.

tribes of Israel. 11Q19 45:4 prohibits the intermingling of (presumably) each priestly course and of their vessels. The text is written as follows:<sup>90</sup>

4 ולוא [יהי] מתערבים אלה באלה וכליה[מה וב

“and they [shall] not intermingle one with the other, nor/with/their ves[sels].”

It is clear that because of the use of the verb ערב, “to intermingle” in combination with the words באלה באלה, “one with the other” the issue under discussion here is undesirable mixing. Therefore, it is most likely that the noun תערובת at the end of the ruling also refers to this undesirable intermingling of groups of priests and their vessels, for the ruling concludes with the words (11Q19 45:6-7):

6 ולוא תהיה שמה

7 תערובא

“(6) and there shall be no (7) mingling there.”

In 11Q20 50:2 there is a second occurrence of the root עבר. The line belongs to a ruling concerning a dead person that runs from 11Q20 49:19 to 50:4. Unfortunately, the beginning of column 50 is not very well preserved, and the attested root עור is surrounded by lacunas. The end of the ruling is as follows (11Q20 50:1-4):<sup>91</sup>

1 [... ואל יואכלו] כול אש[ר ...]

2 כי מי טהר[ה] ... מת[ערובת] המת [...]

3 נטמאו אין עו[ד] ... ה. עד אשר יזו את הש[נית]

4 ביום השביעי וט[הרו בע]רב בבוא השמש

“(1) [... and they shall not eat] anything tha[t ...] (2) because the water of the purifica[tion ... m]ingling with a dead person [...] (3) they shall become impure. No mor[e ...] ... until they sprinkle for the se[cond time] (4) on the seventh day, and they are pu[re in the ev]ening, at sunset.

In 11Q20 50:2 it is uncertain how the characters before ערובת[ ought to be reconstructed. It is possible to reconstruct מתערובת, a hitpael participle

<sup>90</sup> See for text and translation of 11Q19 45:4 García Martínez and Tigchelaar, *DSSSE II*, 1262-1263.

<sup>91</sup> See García Martínez and Tigchelaar, *DSSSE II*, 1268-1269.

feminine singular of the verb *ערב*.<sup>92</sup> It is also possible to reconstruct the noun *תערובת*. In both cases, however, it is likely that it refers to the act of mingling, rather than to polluting activities. Admittedly, the interpretation “impurity” would fit here, but this is also caused by the fact that part of the context is missing. Yet, the most convincing argument - not to render *תערובת* or *מתערובת* as something having to do with impurity - is that the text uses the root *טמא* twice in relation to impurity.<sup>93</sup> If the text had meant to discuss the impurity of a dead person in 11Q20 50:2, it probably would not have used a different root instead of *טמא*. This at least shows that the root *טמא* and *ערב* cannot be regarded as synonyms.

Returning to the initial question as to how the word *תערובת* can be interpreted in Qumran literature, the following results can be presented. It appears that the noun *תערובת* is not abundantly used and only occurs in two documents, MMT and the *Temple Scroll*. Examining the MMT context, little can be said about the interpretation of the word *תערוב*. In the *Temple Scroll* the word *תערוב* appears four times, but in two cases the word is reconstructed and therefore can be of no help. The two other occurrences of the word seem to point to the interpretation “mixture, mingling” rather than to the interpretation “impurity.” On the basis of these observations it seems more appropriate to render the two occurrences of the word *תערוב* in 4QMMT B also as “mixture.”

If the above analysis is correct, it must be examined what kind of situation the author of 4QMMT points to and what he intended with the statement that blind persons cannot see as to beware of all mixture and who cannot see the mixture of the *אשם*. Especially defining the meaning of the last element, *תערובת אשם*, is difficult. The beginning of column iv in 4Q394 8 is damaged, and before the *ש* there is room for only one character. In the official edition the first character of the word is reconstructed as *א*.<sup>94</sup> Other reconstructions are also possible but they must be rejected because they do not fit within the context.<sup>95</sup> Therefore Qimron and Strugnell’s reconstruction

<sup>92</sup> See García Martínez and Tigchelaar, *DSSSE II*, 1268; Elisha Qimron, *The Temple Scroll. A Critical Edition with Extensive Reconstructions* (JDS; Beer Sheva/Jerusalem: Ben Gurion University of the Negev Press/Israel Exploration Society, 1996), 73

<sup>93</sup> In 11Q20 50:04 and 50:3.

<sup>94</sup> DJD 10, 52.

<sup>95</sup> This is clearly the case with the following nouns: *בשם*, “spice, perfume”; *גשם*, “rain”; *לשם*, “precious stone”; *חשם*, “flat-nosed” or, “Husham.” Also the noun *השם*, “the name,” does not fit. Forms derived from the root *נשם*, “to pant, puff,” or *שמם*, “to be desolate, deserted,” or *שים*, “to put,” or *רשם*, “to inscribe” do not seem to make sense either.

is the most acceptable. It is followed in other editions of MMT.<sup>96</sup> אשם can be translated as “guilt/offence,” “restitution,” “guilt-offering,” or “gift of atonement.”<sup>97</sup> As stated above, interpreting the combination of the words תערובת and אשם is difficult. Qimron and Strugnell rendered “a mixture that incurs reparation-offering,”<sup>98</sup> but according to Baumgarten this wording seems odd.<sup>99</sup> Because Wise *et al.* and García Martínez and Tigchelaar interpret תערובת as “uncleanness” they translate “defiling mixture” and “the uncleanness of the sin-offering” respectively.<sup>100</sup> Eisenman and Wise interpret the words תערובת אשם as “sinful mingling.”<sup>101</sup> All these interpretations are unsatisfactory. As shown above, it is unlikely that the author of MMT would use the word תערובת to denote “uncleanness.” The explanation offered by Eisenman and Wise is grammatically difficult.

Nevertheless, a solution for the above-sketched problem can be found when the text is read differently. All the discussed interpretations connect תערובת אשם as one unit, but it is also possible to separate these words and divide the phrase after the second תערובת. In order to understand the correct meaning of 4QMMT B 50-51, the phrase must be split at the end of line 50. Accordingly, the text can be read as follows:

50 (...) להזהר מכל תערובת ותערובת  
51 אשם אינם רואים

“(50) (...) as to beware of every single mixture: (51) they cannot see the offence.”

The construction of two identical nouns following כל is also attested in Psalm 45:18, where it reads אזכירה שמך בכל־דור ודור, “I will make your name to be remembered in all generations.” In this example, the second דור intensifies the first to stress that in each and every generation the subject of the phrase will make the addressee be remembered. In the same way, it is

<sup>96</sup> Eisenman, and Wise, *The Dead Sea Scrolls Uncovered*, 191; García Martínez and Tigchelaar, *DSSSE II*, 792; Wise *et al.*, *A New Translation*, 361.

<sup>97</sup> Marcus Jastrow (ed.), s.v. “אשם,” in: *A Dictionary of the Targumim, the Talmud Babli and Yerushalmi, and the Midrashic Literature. Volume I* (New York: The Judaica Press, 1996), 129; Ludwig Koehler and Walter Baumgartner (eds.), s.v. “אשם,” in: *The Hebrew and Aramaic Lexicon of the Old Testament. Study Edition. Volume I* (Leiden/Boston/Köln: Brill: 2001), 96.

<sup>98</sup> DJD 10, 53.

<sup>99</sup> DJD 10, 52; Baumgarten, “The ‘Halakha’ in MMT,” 514.

<sup>100</sup> Wise *et al.*, *A New Translation*, 361; García Martínez and Tigchelaar, *DSSSE II*, 793.797.

<sup>101</sup> Eisenman and Wise, *The Dead Sea Scrolls Uncovered*, 195.

possible that the second תערובת in 4QMMT B 50 stresses the fact that a blind person cannot beware of any kind of mixture at all. Against this solution could be surmised, that one would expect a ן before אשם in 51. Yet, a close examination of 4Q394 8 iv 1 shows, that there is no space before שם[ to reconstruct both an א and a ן. As was already noted above, however, 4Q396 1-2 ii 2 apparently only contained a single תערובת, and could thus be read: “as to beware of all mixture.” This reinforces the solution suggested above, that the second תערובת intensifies the first and means “every single mixture.”

Because of the fact that blind persons cannot beware of any kind of mingling, they also cannot see what they might do wrong. For that reason, it is better to render אשם as “offence” rather than as “guilt-offering.”

#### L. 52 [וא] על החרשים

As is discussed above, the phrase אף על in MMT generally introduces a new halakha and in 4Q394 8 iv 2 the ruling on the deaf persons starts on a new line. On the preceding line (4Q394 iv 1) the ruling about blind persons seems to end with a blank.<sup>102</sup> However, from the concluding words כי שלוא ... ראה ולא שמע לוא ידע לעשות in 4QMMT B 53-54 can be drawn that the two subjects are treated as one halakha.

#### L.52 שלוא שמעו

Contrary to the use of a participle describing the visual handicap of the blind, MMT uses a perfect here. Consequently, the ruling applies to deaf persons *who have never heard*.<sup>103</sup> The ruling only deals with persons who were deaf from childhood and thus before they were able to learn the law (חוק), judgment (משפט), and purity regulation (טהרה) (4QMMT B 52). The difference in verbal mode between the adjectival clause שאינם רואים following הסומים in 4QMMT B 50 and the apposition שלוא שמעו to החרשים in 4QMMT B 52 is important. It indicates that blind and deaf persons were not treated alike, because the ruling for blind persons applies to every individual who cannot see, not just to those who were blind since childhood. Perhaps this explains the fact that the subject of blind and deaf persons are separately introduced by the phrase ואף על and the fact that in 4Q394 the halakha on the deaf starts on a new line. For the author of MMT it is

<sup>102</sup> See PAM 43.477; Mus. Inv. 335 (DJD 10, plate III).

<sup>103</sup> DJD 10, 52.

important that every individual knows how to act according to the law and that the law is properly kept. Deaf persons who lost their hearing in adulthood may have learnt the principles of the law earlier in life and may thus understand how to act. Blind persons who lost their sight at a later stage in life may know the purity laws, but their inability to see always hinders them in their ritual acts, since they cannot see whether they trespass purity regulations.<sup>104</sup> As is stated above, this only applies to persons who are totally blind, hence the apposition in 4QMMT B 50 שאינם רואים, “who cannot see.”

#### L. 52 חוק [ומ]שפט וטהרה

The three classes of law mentioned in 4QMMT B 52 only occur once in this combination in Qumran literature, although the *Rule of the Community* (1QS) contains a similar division of laws into three classes. Qimron and Strugnel argue that חוק, “law,” in MMT parallels תורה in 1QS 6:22 and note that the terms משפט, “judgment/civil law” and טהרה, “purity regulation” are found in both sources. The term טהרה is used for a special class of purity laws the occurrence of which in Qumran literature shows that purity was a central concern in early halakha.<sup>105</sup>

#### L. 53 משפטי ישראל

The term משפטי ישראל is unattested elsewhere in the scrolls and its meaning is not immediately clear. In the biblical writings the noun משפט occurs 55 times in a construct state followed by a noun, and in a variety of contexts. The expression משפטי ישראל is not attested, but is possible that these words are a shorter equivalent of biblical expressions in which the noun משפט occurs in combination with the name ישראל. An example of this longer biblical expression is יהוה ביד-משה אל-בני ישראל, “These are the commandments and the judgments, which YHWH commanded through Moses to the sons of Israel,” in Num 36:13. Deut 4:44-45 says וזאת התורה אשר-שם משה לפני בני ישראל: אלה העדות והחקים והמשפטים, “And this is the torah which Moses set before the sons of Israel: These are the testimonies, and the laws, and the judgments, which Moses told the sons of Israel, after they came out of Egypt.” In 2 Kgs 17:34bf. about the Samaritans it is stated that: יראים את-יהוה ואינם עשים כחקתם וכמשפטם וכתורה וכמצוה אשר צוה יהוה את-בני

<sup>104</sup> See Just, *From Tobit to Bartimaeus*, 178.

<sup>105</sup> See DJD 10, 140.



:“עקב אשר־שם שמו ישראל: “They do not fear YHWH, they neither keep their laws, nor their judgements, nor the torah and the commandment which YHWH commanded the sons of Jacob, whom He named Israel.” 1 Chron 22:13 contains the expression לעשות את־החקים ואת־משפטים אשר צוה יהוה את־משה על־ישראל, “to keep the laws and judgements which YHWH commanded Moses concerning Israel.” All these expressions do not relate to legal decisions in general, but to the whole tradition of laws, which YHWH revealed to Moses on Mount Sinai. It is very likely that the expression משפטי ישראל in 4QMMT B 53 must also be understood in this way.

L. 53-54 כי שלוא [רא]ה ולוא שמ[ע] לוא [י]דע

This concluding statement ties the two halakhot on the blind and deaf together. Although the motivation behind the rulings is slightly different, the treatment of blind and deaf is ultimately the same.

L. 54 לעשות

The verb עשה, “to act/do” in the context of MMT is often used as a *terminus technicus* and has the connotation of “to maintain the laws of the Torah.”<sup>106</sup> This coincides with the use of the plural of the noun מעשה designating the laws or commandments of the Bible in the Second Temple period and onwards. The term מעשים is known from the title the editors gave to MMT, (מקצת מעשי התורה) and also occurs in some other Qumranic works (4Q174, 1-2 I 7, 1QS 6:18). Although the rulings of MMT can be understood as halakhot and are also referred to in this way by the editors of MMT, the term *halakha* is not a term employed by the members of the Qumran community, but by their opponents.<sup>107</sup>

L. 54 והמה ב[אי]ם לטה[רת] המקדש

The concluding phrase of this passage is extremely difficult to understand since almost every word of it is multi-interpretable. The most safe observation about this phrase that can be made is that the first word המה points back to the aforementioned blind and deaf persons who do not know how to act (according to the laws of the Torah). The following verb בוא is again a plural participle and could thus refer to a customary action, as is the

<sup>106</sup> See DJD 10, 52, 98, 139.

<sup>107</sup> See DJD 10, 139. See also the studies by John P. Meier, “Is there *Halaka* (the Noun) at Qumran?,” *JBL* 122 (2003), 150-155 and by Dennis Green, “‘Halakhah at Qumran’? The Use of הלך in the Dead Sea Scrolls,” *RevQ* 86 (2005), 235-251.

case in 4QMMT B 50. According to Qimron and Strugnell the combination of the verb בוא and the preposition ל- is characteristic of post-classical Hebrew modal use of the infinitive with a prepositional phrase. Followed by a locative בוא ל- can have the meaning “to enter,” but without a locative the words may mean “to have access to, to be admitted.”<sup>108</sup> This latter meaning is, in some situations, also applicable to the more biblical Hebrew wordings אל נגש and אל קרב as has been suggested by J. Milgrom.<sup>109</sup> Generally the verbs נגש and קרב mean “to approach.” The interpretation of García Martínez and Tigchelaar also leans in this direction. They have translated this sentence as “But these are approaching the purity of the temple.”<sup>110</sup>

Some scholars identify the words טהרת המקדש as a typical Qumranic reference to the holy food.<sup>111</sup> They are an equivalent of קדשים (or קודש) which is used in Lev 21:22 (לחם אלהיו מקדשי הקדשים ומן־הקדשים יאכל) and other texts of the Hebrew Bible, but also in the texts from Qumran and the Mishnah.<sup>112</sup> Hannah Harrington does not provide a translation of 4QMMT B 54, but she notes that it is the fear of defiling sancta that is the main concern of the regulation concerning the blind and deaf in MMT.<sup>113</sup> Sidnie White Crawford is of the opinion that טהרת המקדש באים לטהרת המקדש means that the blind and deaf have to “revere the temple,” meaning that they do not enter it because they do not know how to act according to the law.<sup>114</sup>

In his contribution in *Legal Texts and Legal Issues* Friedrich Avemarie has convincingly shown that different interpretations of the word טהרה appear in the Qumran documents.<sup>115</sup> The word is broadly attested in Qumranic literature and even from only the halakhic documents 11QT and

<sup>108</sup> DJD 10, 53, 80-81, 88-89.

<sup>109</sup> Saul Lieberman, “The Discipline of the So-Called Dead Sea Manual of Discipline,” *JBL* 71 (1952) 202; Jacob Milgrom, “The Cultic Use of נגש/קרב,” *Proceedings of the Fifth World Congress of Jewish Studies* 1 (1969), 74-84; Jacob Milgrom, *Studies in Levitical Terminology* (University of California Publications; Near Eastern Studies 14; Berkeley: Univ. of California Press, 1970) 40-41.

<sup>110</sup> García Martínez and Tigchelaar, *DSSSE* II, 793 and 797.

<sup>111</sup> DJD 10, 138; Just, *From Tobit to Bartimaeus*, 178; Hannah K. Harrington, *The Purity Texts* (CQS 5; London/New York: T&T Clark International, 2004), 123; Olyan, “Exegetical Dimensions,” 39, n. 3; Wise *et al.*, *A New Translation*, 361.

<sup>112</sup> DJD 10, 138.

<sup>113</sup> Harrington, *Purity Texts*, 53.

<sup>114</sup> Sidnie White Crawford, *The Temple Scroll and Related Texts* (CQS 2; London/New York: T&T Clark International, 2000), 80.

<sup>115</sup> Friedrich Avemarie, “‘Tohorat Ha-Rabbim’ and ‘Mashqeh Ha-Rabbim’: Jacob Licht Reconsidered,” in: Bernstein *et al.*, *Legal Texts and Legal Issues*, 215-229, esp. 222-224 and 226.

4QMMT it follows that טהרה can have four meanings: (1) purification, (2) “purity,” (3) “pure objects” including “pure food,” and (4) purity legislation.<sup>116</sup> Although the rendering “purity legislation” is the only possible interpretation of טהרה in 4QMMT B 52, it clearly does not fit in 4QMMT B 54. The other three options, however, cannot be rejected immediately. The scholars discussed above either choose for the meaning “purity,” or for the meaning “holy food.” Notwithstanding the fact that the interpretation “purity” fits in the context, it seems more likely that the author of MMT was referring to objects rather than at a state of being. This idea is based on the observation that in 11QT 47:17 the words טהרת המקדש also refers to objects, namely to the pure food. The text deals with skins that are appropriate to transport food to the temple.<sup>117</sup> The text is as follows:<sup>118</sup>

15 (...) אמ

16 במקדשי תזבחוהו וטהר למקדשי ואם בעריכמה תזבחוהו וטהר

17 לעריכמה וכול טהרת המקדש בעורות המקדש תביאו ולוא תטמאו

18 את מקדשי ועירי בעורות פגולכמה אשר אנוכי שוכן בתוכה

“(15) (...) If (16) you sacrifice in my temple it shall be pure for my temple. And if you slaughter in your cities it shall be pure (17) for your cities. And all the pure food of the temple you shall bring in skins of the sanctuary. And you shall not defile (18) my temple and my city with your abominable skins. Because I dwell in you midst.”

Besides this textual indication that טהרת המקדש refers to pure objects, there is also archaeological evidence to support this idea. Potsherds, from the Second Temple period, found in Massada also contain the words לטהרת המקדש. These potsherds probably once belonged to vessels that contained produce meant as food for the priests. It is very likely that the words found

<sup>116</sup> According to Avemarie (“Tohorat Ha-Rabbim,” 222-223), the rendering “purification” is meant in 11Q45:15, the rendering “purity” in 11Q47:10.15; 4QMMT B 56, the rendering “pure objects” in 11QT 47:17; 11QT 49:21; 11QT 63:14; 4QMMT B 23.54.65.68, and the rendering “purity legislation” in 4QMMT B 13.52 (and perhaps also in 4QMMT B3, but here the context is unintelligible due to lacunae).

<sup>117</sup> See also Avemarie, “Tohorat Ha-Rabbim,” 222-223.

<sup>118</sup> See for the text of 11QT47:15-18: García Martínez and Tigchelaar, *DSSSE II*, 1266.

on the potsherd refer to the contents of the vessels, the pure food of the sanctuary.<sup>119</sup>

The unequivocal reference to the pure food in 11QT 47 does not necessarily have to imply that the word טהרה when used to describe objects always refers to foodstuff only.<sup>120</sup> In 11QT 49:21 and 63:14 it is not clear whether טהרה refers to food or to something else. Both texts discuss touching the טהרה. The first attestation is part of a ruling in 11QT 49:19-50:4 that allows persons purified from corpse contamination to touch the טהרה. It also permits the purified persons to touch other pure persons again. The second attestation occurs in a ruling about women who are taken as prisoners of war (11QT 63:10-15). It is stated that a woman taken captive cannot touch the טהרה for seven days and that she is also denied eating the peace offering. Especially in this last example a distinction is made between the *touching* (נגע) of the טהרה and the *eating* (אכל) of the peace offering.<sup>121</sup> Although it cannot be stated with absolute certainty, it seems more likely that in both cases the rulings are concerned with any kind of pure objects, and thus with more than food alone.

In 4QMMT B 23, 54, 65, and 68 the occurrences of טהרת המקדש and טהרת הקודש can be considered as parallels. It is unclear how the words טהרת הן in 4QMMT B 23 have to be restored. Since there is a lacuna after the ה, it can either be restored as טהרת המקדש or as טהרת הקודש. All three cases concern the approaching of טהרה. 4QMMT B 23 uses the verb בגש, B 54 בוא ל, B 65 בוא. 4QMMT B 68 also contains the verb בוא, but interestingly MSS 4Q396 2 iii 5 contains a visible scribal error where the scribe of 4Q396 initially meant to write a form of the verb בוא followed by the preposition -ל.<sup>122</sup> This scribal error could indicate that there is a difference in meaning and intention between the phrase טהרת הקודש (עם) בוא (used in B 65 and 68) on the one hand, and בוא לטהרת המקדש (used in B 54) on the other. It may be somewhat too far-fetched, but it could be a possibility that this refers to a difference in meaning of טהרת הקודש on the one hand and טהרת המקדש on

<sup>119</sup> See Yigael Yadin and Joseph Naveh, *Masada I: The Yigael Yadin Excavations. Final Reports* (Jerusalem: Israel Exploration Society, 1989), 34-39; see also Avemarie, "Tohorat Ha-Rabbim," 220.223.

<sup>120</sup> Avemarie, "Tohorat Ha-Rabbim," 222-223.226.

<sup>121</sup> Cf. Lev 21: 22 in which the verb אכל, "to eat," is used when it is stated that: לחם אלהיו יאכל, מקדשי הקדשים ומן הקדשים יאכל, "He may eat the food of his God, of the most holy and of the holy."

<sup>122</sup> See for 4QMMT B 68 DJD 10, 54; See for MSS 4Q396 2 iii 5: García Martínez and Tigchelaar, *DSSSE II* 796 and PAM 42.631.

the other. In the first case, טהרת הקודש could refer to a quality rather than to objects. טהרת הקודש, then, could be denoted as the state of “holy purity.”<sup>123</sup> The use of the verb בוא without the preposition ל- could indicate that an unqualified person should not enter such a place in a state of holy purity. This place could be anywhere and does not necessarily have to be the sanctuary. If the above analysis is correct, טהרת המקדש, on the other hand, does not refer to a quality, but to pure things belonging to the sanctuary, possibly the holy food. This observation could also solve the problem as to how the word following לטהרת ה- in 4QMMT B 23 ought to be reconstructed. If it can be maintained that the verb בוא without the preposition ל refers to entering a place with the quality טהרת המקדש, “holy purity” and that the combination בוא ל-, “to approach” points at contact with טהרת המקדש, “pure objects of the sanctuary,” it is very likely that 4QMMT B 23 originally contained the words טהרת המקדש. Admittedly, this line does not contain the combination בוא ל-, but it does contain the נגש ל-, which can be considered as an equivalent to בוא ל-.<sup>124</sup> Thus, although it cannot be denied that in 4QMMT B 23 and 54 the purity of the temple is at stake, the words טהרת המקדש indicate that the main concern are the pure objects of the temple.

#### 5.4 Social Implications for the Blind and Deaf in 4QMMT B 49-54

The above discussion about the ruling on blind and deaf persons in 4QMMT B 49-54 has shown that its interpretation is far from obvious. Not only are scholars in disagreement over questions relating to the meaning of separate words, but there is also little consensus about the interpretation of the ruling as a whole. This paragraph discusses the question of the identity of the blind and deaf in 4QMMT B 49-54 and provides a possible context in which the ruling may have functioned.

<sup>123</sup> See the translation of García Martínez and Tigchelaar, *DSSSE II*, 797.

<sup>124</sup> See Jacob Milgrom, *Studies in Levitical Terminology*, 33-41.

### 5.4.1 The Identity of the Blind and Deaf

A good point to start the identification of the blind and deaf in 4QMMT B 49-54 may be the concluding phrase of this passage. The words **והמה באים לטהרת המקדש** in 4QMMT B 54 give the impression that they provide the motivation for inserting the ruling in the list of laws in the first place. As shown above, this phrase is full of difficulties and there is no scholarly consensus about what the exact meaning of the words is. Yet, if it is true that the key for detecting the identity of the blind and deaf persons in this ruling lies in the interpretation of this concluding phrase, and that there is no adequate explanation for these words, it seems that already, from the start, it is impossible to solve the question of the identity of the blind and deaf persons in this law. Although it is understandable to be somewhat pessimistic about this venture, there is one word in the concluding phrase that may provide a solution.

The discussion of L 54 makes it plausible to interpret the words **באים** **לטהרת המקדש** as “they approach the pure objects of the sanctuary.” Because reference to the temple is made, it can be stated with certainty that the phrase must be placed in a cultic context. Consequently, it can be concluded that apparently there was a difference of opinion between one party and another over the role of blind and deaf persons in a cultic situation in the sphere or in the vicinity of the temple. The law in 4QMMT B 49-54 is a reflection of that disagreement. This context narrows the possible identities of the blind and deaf persons discussed in the ruling. Since the law only seems to apply within the temple sphere, this means that the blind and deaf persons in 4QMMT B 49-54 are either priests or worshippers.

Because it appears that the identity of the blind and deaf in 4QMMT B 49-54 cannot be inferred from the ruling itself, a possible answer may be found in the ruling’s context. The law following the ruling on blind and deaf persons cannot be of any help, for it does not deal with people. 4QMMT B 55-58 deals with the impurity of liquid streams. The law that precedes the law on blind and deaf persons, however, is indeed concerned with people. Qimron and Strugnell listed the law on blind and deaf persons immediately after the poorly preserved ruling that the Ammonite and the Moabite and the *mamzer* and men with damaged genitalia in 4QMMT B 39-49. The composite text of this ruling is as follows:<sup>125</sup>

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<sup>125</sup> See DJD 10, 50-51 and 158.

39	[ועל העמוני והמואבי והממזר ופצוע הדכה וכו']ת השפכת שהם באים
40	[בקהל] ונשים [ל]קח[ים להיו]תם עצם
41	[אחת ובאים למקדש]
42	[טמאות ואף חוש]בים אנחנו
43	[שאין] ואין לבו[א עליהם]
44	[ואין לה]תיכם [ו]לעשותם
45	[עצם אחת] ואין להבי[אם]
46	[למקדש] ואתם יודעים שמקצת [העם]
47	[וה] . . מ . . ים מתוכ[כים]
48	[כי לכול בני ישראל ראוי להזהר מכול ת]ערובת [ה]גבר
49	[ולהיות יראים מהמקדש]

“(39) [And concerning the Ammonite] and the Moabite and the *mamzer* and [him whose testicles] have been crushed [and him] whose male member [has been cut off], who nevertheless enter (40) the congregation [and ... .. and] take [wives to be]come one bone (41) [and enter the sanctuary ... ..] (42) [... ..] impurities. And we are of the opinion (43) [that one must not ... .. and one must not] coha]bit with them, (44) [... .. and] one must not let them be united (with an Israelite) and make them (45)[one bone ... .. and one must not] let them en[ter] (46) [the sanctuary. And you know that] some of the people (47) [... ..] and become uni[tet.] (48)[ For all the sons of Israel should beware] of any forbidden unions (49) and be full of reverence for the sanctuary.”

Due to the fragmented character of the law, the precise meaning of this ruling remains uncertain. The most important source for reference is clearly Deut 23:2-4 which excludes persons with crushed testicles, the *mamzer* and the Ammonite and Moabite from the assembly, for it says:

- 2 לא־יבא פצוע־דכא וכרות שפכה בקהל יהוה  
 3 לא־יבא ממזר בקהל יהוה גם דור עשירי לא־יבא לו בקהל יהוה  
 4 לא־יבא עמוני ומואבי בקהל יהוה גם דור עשירי לא־יבא להם בקהל יהוה

“(2) Anyone with crushed testicles or with a penis cut off shall not enter the assembly of the Lord. (3) No *mamzer* shall enter the assembly of the Lord, not even in his tenth generation shall he enter the assembly of the Lord. (4) No Ammonite or Moabite shall enter the assembly of the Lord, not even in his tenth generation may he enter the assembly of the Lord.”

Saul Olyan, dealing with the similar problem of identifying the blind and lame in 2 Sam 5:8b, has shown that the expression “enter the assembly of the Lord” in Deut 23 can be interpreted as “enter the sanctuary sphere.”<sup>126</sup> That the two expressions are mutually exchangeable is based on the interpretation of Lam 1:1; Isa 56:3-7; and Ezek 44:7,9 which all speak about disqualification from official worship. According to Olyan, there is a link between the prohibition for blind and lame persons to enter the sanctuary in 2 Sam 5:8b and the ruling in Deut 23:2 that exclude men with damaged genitals. The common denominator between blind and lame in 2 Sam 5:8b and the men with damaged genitals in Deut 23:2 is the fact that both groups possess a מום, “blemish” or physical defect that make them unfit to participate in cultic activities. Disqualification due to a physical defect can also be detected in other biblical writings. The practice of excluding sacrificial animals with physical blemishes is witnessed in Deut 15:21; 17:1; Lev 1:3,10; 3:1; 4:32; 22:17-25 and in Mal 1:8, 13 and Lev 21:17-23 disqualifies priests with a מום from officiating at the altar. According to Olyan “YHWH desires “whole” and “complete” sacrifices without blemishes to serve at the altar, approach the holy of holies, and bring near offerings.”<sup>127</sup> Olyan also notes that later texts such as the fifth-century Ezra 9:12 and Neh 13:1-3, 23-27 took the passage in Deut 23 as referring to the ban on intermarriage and that this interpretation came to predominate in rabbinic circles.<sup>128</sup> Thus, these texts do not articulate the ban on defective

<sup>126</sup> Saul. M. Olyan, “‘Anyone Blind or Lame Shall Not Enter the House’: On the Interpretation of Second Samuel 5:8b,” *CBQ* 60 (1998), 222.

<sup>127</sup> Olyan, “Anyone Blind or Lame,” 223.

<sup>128</sup> Olyan, “Anyone Blind or Lame,” 223, n. 19.



persons entering the sanctuary, but pointed at the danger of the people of Israel mixing with strangers.

Elisha Qimron, who was also aware of the two explanations of the expression “enter the assembly of the Lord,” believes that the sect meant to express exactly these two explanations when banning certain groups of people entering the assembly.<sup>129</sup> Thus, the law on those forbidden to enter the congregation in 4QMMT B 39-49 was two-fold: 1) It was a prohibition against marrying members of certain groups, and 2) it was a prohibition against members of these groups entering the sanctuary.

By looking at the placement of individual rulings in their context it becomes clear why they are listed in their specific order. It is reasonable to ask why the ruling on blind and deaf persons is placed immediately after the ruling on those forbidden to enter the sanctuary. It may be that there is a common denominator behind these individual laws and that one law uses a certain aspect of the preceding one. This idea departs from the thought that the laws were not put together arbitrarily but that there are links between a law and its context. As outlined above, Olyan is of the opinion that there is a link between the exclusion of blind and lame persons in 2 Sam 5:8b and the exclusion of men with damaged genitals in Deut 23:2. Because precisely this last text forms the scriptural basis for the ruling preceding the ruling on blind and deaf persons in 4QMMT B 49-54, it could be questioned whether the motivation behind this ruling in MMT and behind the ruling on blind and lame persons in 2 Sam 5:8b is the same, especially when read in tandem with Deut 23:2. Olyan believes that the link is established by the fact that both groups in 2 Sam 5 and Deut 23 possess a physical defect or *מום*. Both groups are excluded because they do not meet YHWH’s demand for wholeness and completeness in cultic situations. Studying the fragmented law on those forbidden to enter the congregation in 4QMMT B 39-49 and the law on blind and deaf persons in 4QMMT B 49-54 it certainly does not give the impression that concern for wholeness and completeness forms the background of these laws. This becomes explicitly clear in 4QMMT B 49-54. It is not the fact that blind and deaf persons are *in themselves* somehow threatening to the sanctuary, but it is their incapability to *do* something that concerns the author of MMT. 4QMMT B 50-51 shows that a person’s inability to see causes the problem that this person “cannot beware of every single mixture” and that he cannot see “the mixture of the reparation

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<sup>129</sup> Qimron, “The Halakha,” DJD 10, 158-160.

offering.” The problem a deaf person is confronted with is that he “cannot hear law, judgment or precept” and that he “cannot hear the judgments of Israel” (4QMMT B 52-53). In both cases, the problem is not their possessing a physical defect, but more the fact that this defect causes functional problems. It is the fear that due to a blind or deaf person’s functional limits they cannot act in accordance to the proscriptions that safeguard the sanctuary in some way. MMT underlines that this can be the only right interpretation of the ruling on blind and deaf persons by stating in 4QMMT B 53-54 that *שלוה ראה ולוה שמע לוה ידע לעשות*, “who cannot see or cannot hear does not know how to act.”

How does all this bring the problem of the identification of the blind and deaf in 4QMMT B 49-54 nearer to a solution? Is it a coincidence that the laws on those forbidden to enter the assembly and the law on blind persons are connected by the way they are listed in the *halakhic* part of 4QMMT? Can Deut 23:2-4 still be of help although it was shown above that the physical state of person is not *per se* threatening to the sanctuary, but only the functional limits caused by bodily defects? Olyan uses Deut 23:2 to show that it is the primary text for comparison in that the blind and the lame of 2 Sam 5:8b are worshippers instead of priests. Deut 23:2 excludes worshippers with damaged genitalia because of their physical defect and Olyan is of the opinion that there are several indications that the ruling in 2 Sam 5:8b also applies exclusively to worshippers and not to priests. Firstly, he mentions that 2 Sam 5:8b does not explicitly identify the blind and lame as priests and that for this reason the words *עור ופסה*, “anyone blind or lame” in 2 Sam 5:8b could refer to any Israelite afflicted with these conditions. Secondly, Olyan believes that because of the popular nature of the saying it is unlikely it would refer to a restricted group of people, the priests. According to him it is hardly conceivable that the populace would be interested in restrictions that have little to do with their own personal interest, that is, their own access or the access of family members to the temple sphere or cultic actions.<sup>130</sup> If Olyan’s analysis is correct, then there are two links between 2 Sam 8:5b and Deut 23:2. On the one hand there is the fact that the groups discussed in both texts possess a physical blemish and, on the other hand, there is the conviction that both texts pertain to worshippers and not to priests.

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<sup>130</sup> Olyan, “Anyone Blind or Lame,” 221-224.

Although Olyan's analysis is very insightful, it cannot remain unchallenged. The argumentation that the words עֹר ופֶסֶח do not exclusively refer to priests because they are not explicitly identified as such, is questionable. The conclusion seems more to be based on a general assumption than on evidence. It is true that the identity of the blind and lame in 2 Sam 5:8b is not specified, but that is exactly the issue. One cannot know for certain that there was not an implied identity. An example of such an implied identity is Lev 21:16-24. This text contains a list of blemishes that exclude כָּל־אִישׁ אֲשֶׁר־בּו מוֹם, "Anyone who has a blemish," (Lev 21:18) from officiating at the altar. From the preceding verse it can be drawn that the group described in Lev 21:18 as כָּל אִישׁ, "anyone" actually is limited to priests only. According to Lev 21:17 מוֹם יִהְיֶה בּו מוֹם, "a man of your offspring in all your generations in whom there is a blemish" must be excluded from performing the sacrificial ritual. Because YHWH tells Moses in Lev 21:16-17 to instruct his brother Aaron, it is certain that with "a man of your offspring" a priest is meant. Thus, only from the context can be inferred that the words כָּל אִישׁ in verse 18 refer to priests and not to just anyone. Since the phrase in 2 Sam 5:8b is disposed of a context, the identity of the blind and lame persons cannot be determined as easily as Olyan pictures. An argument opposing Olyan's second suggestion, that because of the popular character of the phrase it is likely to pertain to the populace, is that this is also an assumption. There is no compelling evidence that a popular saying should always reflect on the populace. It may be that a saying is frequently used among the populace, but the saying may still have a non-populous origin. Taking all this into consideration leads to the conclusion that there is no solid proof to identify the blind and lame in 2 Sam 5:8b as worshippers, even though Deut 23:2 does refer to non-priests. Therefore there is no ground for assuming that the presence of worshippers in both texts establishes a link between 2 Sam 5:8b and Deut 23:2.

If the identity of the blind and lame in 2 Sam 5:8b remains uncertain because no conclusions based on Deut 23 can be drawn, the same can be said about identifying the blind and deaf in 4QMMT B 49-54 with the help of the preceding law in 4QMMT B 39-49 that is based on Deut 23. If there is a link between the two laws, this link, as shown above, is not established by the fact that both texts refer to persons afflicted with a physical blemish. It is equally impossible to relate the two laws because they would both speak about worshippers instead of priests. There is, however, a possible ground for placing the law on blind and deaf persons immediately after the law on

those forbidden to enter the assembly. Unfortunately this link will not shed light on the identity of the blind and deaf in 4QMMT B 39-49, although it is important for the interpretation of both rulings. Some reserve is needed, however, because of the very fragmentary character of the law in 4QMMT B 39-49. However, if restoration is correct, the law on persons who are prohibited to enter the assembly expresses, in the concluding phrase of the law in 4QMMT B 49, the concern to be full of reverence for the sanctuary. The concluding phrase of the law on blind and deaf persons in 4QMMT B 54 is also concerned with the sanctuary, although this concern is restricted to pure objects of the sanctuary and does not necessarily refer to the sanctuary as a whole.

Thus far the question of identifying the blind and deaf in 4QMMT B 49-54 has remained unanswered, an attempt to find a solution in the laws that surround the ruling having failed. Although the identity of the blind and deaf is not explicitly specified, there may be indications within the ruling itself that could answer the question whether the blind and deaf were either priests or worshippers. Above was outlined that the motivation behind the ruling was caused by the fear that blind and deaf persons were limited in their actions due to their physical defect. Because blind and deaf persons could not always be aware of the right way to act in a cultic situation they could either advertently or inadvertently form a threat to the pure items of the sanctuary. If this situation is related to the question of the identity of the blind and deaf, it could be asked for whom, a priest or a worshipper, the inability to act would have been more problematic. Answering this question requires insight into the role in cultic activities in the temple of worshippers on the one hand and priests on the other. Were the actions that 4QMMT B 49-54 speaks about actions taken by worshippers or by priests and in what way could they threaten the pure objects of the sanctuary?

4QMMT B 50-51 describes the physical limits of blind persons as the inability to see **לְהִזָּהֵר מִכָּל תַּעֲרֹבָת וְתַעֲרֹבַת אִשָּׁם**, “as to beware of every single mixture: they cannot see the offence.” In a context outside the sanctuary it is conceivable that a blind person, due to his inability to see, could perform an illicit mixing of pure with impure, and that this person could consequently create more impurity. However, impurity outside the temple is not lethal and was not considered as something uncommon. There were so many situations that could cause impurity that it was considered a normal aspect of daily life. Only in cultic situations, a state of ritual purity was considered to be of eminent importance. Because of the word **הַמִּקְדָּשׁ**,

“sanctuary” in 4QMMT B 54 it is highly probable that the ruling is set in a cultic context. Therefore, the concern for mixing addressed in 4QMMT B 50-51 must also be placed in the sphere of the sanctuary. The question that needs to be answered is whether it is probable that a worshipper was more likely to perform an illicit mixing in the temple than a priest or vice versa. Probably, illegitimate mixing is more likely to occur during the performing of the sacrificial ritual. Worshipers came to the sanctuary to pay gifts and to have a sacrificial ritual performed for various reasons but, in the end, priests are responsible for the actual carrying out of the offering ceremony.

With respect to deaf persons similar considerations apply. 4QMMT B 52-53 refers to the problem that deaf persons cannot hear חוק ומשפט, “law, or judgment or precept” and the משפטי ישראל, “the judgments of Israel.” Hearing and knowing the religious rulings seems equally important for both priests and worshippers. Because of a deaf person’s inability to hear, he does not know the laws regarding what is profanation. What does this mean in a cultic context? There are no biblical parallels that shed light on the relation between the sanctuary on the one hand and the חוק ומשפט וטהרה on the other, or between physical ability and ritual functions. Martin Abegg,<sup>131</sup> however, pointed at an illuminating passage in Mishnah Hullin 1:1 that reads:

“All may slaughter and what they slaughter is valid, save only someone who is deaf, someone with a mental disability, and a minor, lest they impair what they slaughter; but if any among these slaughtered while others beheld them, what they slaughter is valid.(...).”

Because the deaf person does not know the regulations on slaughtering he may cause profanation. However, if a person who had heard the law saw that the slaughtering was carried out in accordance with the law, the slaughter is valid. Here too, the problem lies in the fact that a deaf person might not act properly and not in that the disability of the deaf person is profaning of itself.

The analysis above showed that MMT restricts the validity of the ruling on blind and deaf persons to the temple sphere and stresses the importance of the physical abilities to carry out the ritual acts in accordance with the law. Because in the temple area cultic acts as offering and slaughtering are carried out by a priest, it can be concluded that it is more

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<sup>131</sup> Wise *et al.*, *A New Translation*, 361.

likely that the blind and deaf addressed in 4QMMT are priests rather than worshippers.<sup>132</sup>

#### 5.4.2 A Possible Text for Comparison: Leviticus 21:16-24

If it can be maintained that 4QMMT deals with priests who are either blind or deaf, Lev 21:16-24<sup>133</sup> is the primary text for comparison. Despite the many differences between 4QMMT B 49-54 and Lev 21:16-24 there are also some interesting parallels between the two texts. Both texts deal with the problem that a priest's disability limits proper performing of ritual acts. In Lev 21:16-24 a priest with a physical blemish is disqualified from performing the sacrificial ritual and 4QMMT B 50-51 also cautions against illicit mixtures in a cultic context. Although Leviticus does not explicitly deal with offerings,<sup>134</sup> it stands without doubt that the proper performing of the sacrificial ritual is one of the major concerns in this text. Both texts want to safeguard the way in which the priests bring offerings. The motivation behind this concern for proper offerings is the fear that an illegitimately performed sacrifice may in some way threaten the pure objects of the sanctuary. Leviticus expresses this concern in the concluding phrase of the law (Lev 21:23c) as it reads *ולא יחלל את-מקדשי*, "and he may not desecrate my sanctums." 4QMMT B 54 *באים לטהרת המקדש*, "they approach the pure objects of the sanctuary." This example shows, that the *מקדשי* in Lev 21:23c and the *טהרת* in 4QMMT B 54 are parallels. The reason why the pure objects of the sanctuary are threatened, however, differs in both texts. In Leviticus 21, the physical condition itself is the cause of fear whereas in 4QMMT the fear results from the limitation in actions that is caused by person's disability. This difference is underlined by the fact that 4QMMT discusses only two kinds of disabilities, of which only one corresponds to the disabilities listed in Leviticus 21. Lev 21:18-20 enumerates twelve physical deformities. Every priest who is blind, lame, deformed, has a broken leg,

<sup>132</sup> The picture that emerges from 4QMMT B 49-54 is different from the one in 4QMMT B 21-23. The latter ruling about dealing with the hide of the carcass of a clean animal is more likely to apply to a layperson rather than to a priest, since the latter person probably did not have to carry a carcass to obtain its skin. Yet, the fact that the ruling in 4QMMT B 23 does not apply to priests does not have to imply that the ruling in 4QMMT B 49-54 addresses the same group of persons.

<sup>133</sup> See chapter 1 of this study for the way in which Lev 21:16-24 deals with disability.

<sup>134</sup> From the discussion of L 50-51 followed that *אשם* in 4QMMT B 51 could best be interpreted as "offence" instead of "guilt-offering." See p. 18.

broken arm, is a hunchback, a dwarf, or has a discoloration in the eye, a scar, a lichen or a crushed testicle may not approach to perform the sacrificial ritual. It therefore is somewhat remarkable that of these twelve blemishes 4QMMT only mentions blindness and that the other physical defect referred to in this text does not appear in the list of Leviticus 21. Although 4QMMT in all likelihood knew the ruling on disabled priests in Lev 21:16-24 the author apparently saw no reason to copy Leviticus' whole list of blemishes. The reason he had for this is that MMT saw no danger in the disability itself, but in the limitation the disability could cause for a proper enactment of rituals. Of all the blemishes mentioned in Leviticus 21, only blindness causes serious problems when the line between purity and impurity must be discerned. A scar, for example, does not have impact on somebody's sensual perception, nor does a broken arm or a crushed testicle. Deafness, on the other hand, does and for that reason the author of 4QMMT cautioned his addressee for the possible dangers these two disabilities could bring about.

## 5.5 Conclusion

The passage in 4QMMT B 49-54 with a ruling on deaf and blind persons contains a lot of textual problems, uncertainties and questions. Although a thorough investigation cannot solve all of these, it allowed some interesting inferences.

The interpretation of the problematic wording **להזהר מכל תערובת** in 4QMMT B 50-51 could be resolved by dividing the phrase into two different separate elements. The widely accepted division of the phrase in uniting **להזהר מכל תערובת**, on the one hand and **ותערובת אשם** on the other was the ground for many interpretation problems. It was especially difficult to give a convincing explanation for the meaning of **ותערובת אשם**, for none of the interpretations seem to fit in the context of the ruling. If, however, the division is made after the second **תערובת** and before the word **אשם**, the phrase becomes much easier to understand. The most difficult problem of the meaning of the combination of **תערובת** and **אשם** disappears when the text is translated as follows: "(...) as to beware of every single mixture: they cannot see the offence."

Another difficulty of the ruling in 4QMMT B 49-54 was the identification of the blind and deaf. The phrase **והמה באים לטהרת המקדש** in 4QMMT B 54 refers to pure objects of the sanctuary. The word **מקדש**,

“sanctuary,” provided a probable setting in which the ruling could have functioned. It limited the scope of the law to the temple sphere and as a result, the possible identity of the blind and deaf persons addressed in this ruling could be limited to two groups, worshippers or priests. Analysis of the surrounding laws in 4QMMT did not eliminate one of the two groups as possible addressee. The law following the law on blind and deaf persons in 4QMMT B 55-58 did not deal with people but with liquid streams. The law preceding the ruling in 4QMMT B 49-54 promised to be more insightful, but unfortunately turned out to be of no help. Although the ruling in 4QMMT B 39-49 dealt with people, the focus of this law appeared to be too different to be suitable as a possible source for uncovering the identity of the blind and deaf in the following law.

Although at first sight it seemed an unfruitful endeavor, a further solution was sought within the ruling itself. It was investigated whether there were indications in the ruling itself that could give a clue to unraveling the quest for the identity of the blind and deaf. There were indeed several indications to assume that the identity of the blind and deaf in 4QMMT B 49-54 could be limited to the priests. The text focuses on acts carried out within the sphere of the sanctuary. Because the author of MMT was concerned about a blind person’s active contact with mixtures in the temple sphere, it seemed reasonable to assume that these acts were related to performing ritual acts. Worshippers come to the sanctuary but they are not allowed to bring offerings and they are exactly the offerings that are not carried out properly that cause fear of profanation. This forms the motivation behind the law in 4QMMT B 49-54.

A comparison of 4QMMT with the ruling on priests with physical blemishes in Lev 21:16-24 showed that both texts share the same concern for properly performing the sacrificial ritual. Yet, it appeared that Leviticus holds an offering illegitimate when a priest with any kind of physical defect performs it. It is the defect itself that causes a threat for the sanctuary. In 4QMMT on the other hand, it is not a person’s disability that may cause profanation, but the limitations a person has because of his disability. Thus, for MMT a person’s physical appearance seems to have no influence on the validity of an offering as long as this appearance does not hinder a priest in the proper enactment of the sacrificial ritual.



# 6

## Blemished Persons in the Temple Scroll

### 6.1 Introduction

The contents of the majority of the scrolls found at Qumran had been unknown to modern readers prior to their discovery. For the biggest part, these manuscripts were originally not composed at Qumran, but written prior to the foundation of the community.<sup>1</sup> The community members, for whom the manuscripts were valuable, treated them with care and copied them throughout for generations so that one work may be represented on multiple manuscripts. One of these works is a document known as the *Temple Scroll*. It is a rewriting of parts of the Pentateuch running from the end of Exodus through to the end of Deuteronomy.

This chapter discusses disability in the context of the *Temple Scroll*. It is shown that the *Temple Scroll* contains at least one reference to disability in 11QT<sup>a</sup> 45:12-14. The text relates that blind persons must be excluded from the holy city because they may defile the city in which YHWH resides. A second passage in the *Temple Scroll* (11QT<sup>a</sup> 35:2-9) may also refer to disability. Due to the damage on the manuscript, however, this reference can only be tentatively assumed on the basis of the passage's context. This chapter shows, however, that 11QT<sup>a</sup> 35:2-9 is important for the interpretation of the views on disability reflected in the *Temple Scroll*.

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<sup>1</sup> See Hartmut Stegemann, *Die Essener, Qumran, Johannes der Täufer und Jesus* (Freiburg/Basel/Wien: Herder, 1994), 136-137.

The first paragraph of this chapter discusses the literary and historical background of the *Temple Scroll*. The second paragraph discusses the manuscripts that contain references to disability and provides comments on readings. The third paragraph investigates the social implications for the blind as can be gathered from 11QT<sup>a</sup> 45:12-14.

### 6.1.1 The Temple Scroll Fragments

The document known as the *Temple Scroll* is a rewriting of parts of the Pentateuch running from the end of Exodus through to the end of Deuteronomy. The composition was found among the Qumran scrolls and five different manuscripts were published as containing remains of this composition. Three of these manuscripts were found in Cave 11, and two in Cave 4. Yet, it is uncertain whether all five of the manuscripts are copies of the *Temple Scroll*. In two cases (11QT<sup>a</sup> and 11QT<sup>b</sup>), it is certain that the manuscripts represent a copy of the *Temple Scroll*. A third manuscript, 4QT<sup>b</sup> is possibly an earlier version of the text that is now known as the *Temple Scroll*. In the case of the two remaining manuscripts, 4Q365a and 11Q21, it is highly doubtful whether they contain remains of the *Temple Scroll*.<sup>2</sup> This study chooses 11QT<sup>a</sup> as a reference manuscript, since it is the most complete edition of the *Temple Scroll*. Where needed, reference is made to the other manuscripts.

#### 6.1.1.1 11QT<sup>a</sup> (11Q19)

The history of the document known as the *Temple Scroll*<sup>3</sup> begins in 1956. This is the year when the same Bedouin tribe who had found the first seven Qumran scrolls, discovered another cave near Qumran.<sup>4</sup> This cave, that was later numbered Cave 11, contained 21 texts, some of them more or less intact. Although a considerable part of the Cave 11 contents was purchased by the Palestine Archaeological Museum soon after the discovery of the

<sup>2</sup> See Florentino García Martínez, "Temple Scroll," in: L.H. Schiffman and J.C. VanderKam (eds.), *Encyclopedia of the Dead Sea Scrolls* (Oxford: Oxford University Press, 2000), 927.

<sup>3</sup> The scroll acquired by Yadin in 1977 is now known as 11QTemple<sup>a</sup>/11QT<sup>a</sup> or 11Q19.

<sup>4</sup> The first seven scrolls were found in 1947 in a cave near Qumran that later was called Qumran Cave 1. After this first find, in 1952 the Bedouin tribe found a considerable number of other scroll fragments and parts of scrolls in another cave, which is now called Cave 4.

cave, it appeared that not every manuscript found its way to the museum.<sup>5</sup> Probably hoping to increase their price, some scrolls were withheld. One of these scrolls was the manuscript now known as the *Temple Scroll*, a well-preserved manuscript that is the largest intact scroll from the Qumran caves. Only after many years of uncertainty and negotiating, did this scroll eventually land in the hands of Yigael Yadin in 1967. In the same year, Yadin provided a first description of the contents of the document and ten years later the comprehensive *editio princeps* appeared.<sup>6</sup>

11QT<sup>a</sup> is a lengthy manuscript of 8.148 metres long and consisting of nineteen thin sheets of animal skin, varying in length between 39 and 61 centimetres.<sup>7</sup> Before the scroll was placed in Cave 11 it was wrapped in a

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<sup>5</sup> Various parties were appointed to edit the texts found in Cave 11. (See Philip R. Davies, George J. Brooke, and Phillip R. Callaway [eds.], *The Complete World of the Dead Sea Scrolls* [London: Thames Hudson, 2002], 154). James Sanders edited the first text from Cave 11 in 1965, which was the Psalm Scroll (See DJD 4). D.N. Freedman and K.A. Mathews edited a Leviticus scroll written in paleo-Hebrew. Most of the remaining fragments were edited by a Dutch team of scholars in DJD 23. These texts include the edition of four Psalm manuscripts and an apocryphal psalm by J. van der Ploeg. Together with A.S. van der Woude, van der Ploeg also edited the Job Targum from Cave 11 and six other texts. B. Jongeling edited a fragment of the “New Jerusalem” manuscript.

<sup>6</sup> For a vivid account of the purchase process see Yigael Yadin, *The Temple Scroll. The Hidden Law of the Dead Sea Sect* (London: Weidenfeld and Nicolson, 1985), 8-55. The *editio princeps* was edited by Yigael Yadin, *Megillat ham-Miqdaš - The Temple Scroll*, (I. Introduction; II. Text and Commentary; III. Plates, Text and Supplementary Plates; Jerusalem: Israel Exploration Society, 1977) (Hebrew). This study, however, will refer to the revised edition and English translation of the *editio princeps*: Yigael Yadin, *The Temple Scroll* (Three Volumes and Supplement; Jerusalem: Israel Exploration Society, 1983). The English translation is to be preferred because it is a revised edition with many corrections and new readings. An improved edition of the *editio princeps* was published in 1996 by Qimron, see: Elisha Qimron, *The Temple Scroll: A Critical Edition with Extensive Reconstructions* (Beer Sheva: Ben-Gurion University of the Negev Press/Jerusalem: Israel Exploration Society, 1996). For other editions of the text see M. Wise, *A Critical Study of the Temple Scroll from Qumran Cave 11* (SAOC 49; Chicago: University of Chicago Press, 1990); Florentino García Martínez and Eibert J.C. Tigchelaar, *The Dead Sea Scrolls Study Edition* (Volume II; Leiden: Brill 1998), 1228-1289; Annette Steudel (ed.), *Die Texte aus Qumran II. Hebräisch/Aramäisch und Deutsch*. (Darmstadt: Wissenschaftliche Buchgesellschaft, 2001), 1-157.

<sup>7</sup> For a description of the physical appearance of 11QT<sup>a</sup> and its dating, see a.o.: Johann Maier, *Die Tempelrolle vom Totem Meer* (Uni-Taschenbücher 829; München/Basel: Ernst Reinhardt Verlag, 1978), 9-10; Yadin, *The Temple Scroll* I, 1-24; Yadin, *Hidden Law*, 56-83; Angelo Vivian, *Rotolo del Templo* (TVOa 6; Brescia: Paideia, 1990), 21-23; F. García Martínez and A.S. van der Woude, *De Rollen van de Dode Zee* (Deel I: Wetsliteratuur en Orderregels – Poëtische Teksten; Kampen: Kok/ Tielt: Lannoo, 1994), 133; García Martínez, “Temple

linen cloth. On seven of the sheets three columns per sheet are written, ten sheets contain four columns each. The beginning of the first sheet is lost and the last lines of the manuscript are missing. These were written on the last sheet of the scroll, of which the upper part is lost. The sheet in its present form is now completely blank, which indicates that only a few lines are missing. Due to the fact that the scroll had been hidden in a shoebox under the wooden flooring of the house of an antiquities seller, the manuscript had suffered more during this period than in all the years in the cave. The inner part of the scroll (columns 14-66) is relatively well preserved. The columns at the bottom are still intact, but the parts at the top and sides of the sheets are very damaged or lost. The outside of the manuscript (columns 2-13) has suffered considerably and only a few fragments survived. The damages make it very difficult to decipher the contents of the manuscript. In some instances reconstructions of the text were possible because words had rubbed off onto the back of the inner column, but there still remain many lacunae and conjectural readings.<sup>8</sup> Due to the damages on the upper part of the manuscript, the height of the scroll ranges between 10 and 20 centimetres

11QT<sup>a</sup>, which is written in Hebrew, is the work of two different scribes. Columns 6-66 are written in a middle Herodian formal hand, which can be dated to the end of the first century B.C.E. The beginning of the scroll (columns 2-5) is written in a late Herodian formal hand that can be dated to the first century C.E. Because the first sheets were on the outside of the rolled-up scroll, they suffered the most, so it is not unlikely that the second scribe was replacing damaged sheets. That the second scribe was adding his text to an already existing scroll is indicated by the fact that the last part of column 5 overlaps with the first part of column 6.

11QT<sup>a</sup> was most likely copied at Qumran, because the scribal techniques and the script are typical of the other Qumran manuscripts.<sup>9</sup>

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Scroll,” 927; Sidnie White Crawford, *The Temple Scroll and Related Texts* (Companion to the Qumran Scrolls, 2; London/New York: T&T Clark International, 2000), 12.

<sup>8</sup> See Yadin, *The Temple Scroll* I, 5-8 and Qimron, *Critical Edition*, 2.

<sup>9</sup> Emanuel Tov “Appendix I: Characteristic Features of the Qumran Scribal Practice,” in: *Scribal Practices and Approaches Reflected in the Texts Found in the Judean Desert* (STDJ 54; Leiden: Brill, 2004), 277-288.

### 6.1.1.2 11QT<sup>b</sup> (11Q20)

A second copy of the *Temple Scroll* was also found in Cave 11. Unfortunately, this copy is not as well preserved as 11QT<sup>a</sup>, and for the most part rotten. The manuscript survived on 42 fragments of which 30 fragments overlap with 11QT<sup>a</sup>. García Martínez and Tigchelaar arranged the recovered fragments into 15 columns.<sup>10</sup> Nine or ten columns before the first preserved column are lost and at the end of the manuscript eight columns are missing. The manuscript is written in a developed Herodian formal hand and can be dated to 20-50 C.E. In all likelihood, this manuscript was copied at Qumran. This can be drawn from the observation that the manuscript was copied by the same scribe who copied 1QpesherHabakkuk (1QpHab). On the manuscript, corrections and additions made by different hands are visible.

It is very likely that 11QT<sup>b</sup> was copied from the same work as 11QT<sup>a</sup>. Despite the fragmentary character of the scroll, 11QT<sup>b</sup> is important because it contains sections that did not survive in 11QT<sup>a</sup>.

### 6.1.1.3 11QT<sup>c</sup>? (11Q21)

The relationship between a manuscript known as 11QT<sup>c</sup>? (11Q21) and the *Temple Scroll* is uncertain. The text was initially identified by Qimron as a copy of the *Temple Scroll* in 1995.<sup>11</sup> Three years later, García Martínez and Tigchelaar referred to the text as 11QT<sup>c</sup>?.<sup>12</sup> The manuscript was found in three small fragments that can be dated to c. 50 C.E. Only seven letters of one fragment (frag. 1) overlap with 11QT<sup>a</sup> (11QT<sup>a</sup> 3:14-17).<sup>13</sup> The two other fragments do not overlap with any other manuscript of the *Temple Scroll*,

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<sup>10</sup> See for the official edition: Florentino García Martínez, Eibert J.C. Tigchelaar, and Adam S. van der Woude, "11QTemple<sup>b</sup>," in: *idem*, *Qumran Cave 11.II: 11Q2-18, 20-31* (DJD 23; Oxford: Clarendon Press, 1998), 357-410 and plates 41-47.

<sup>11</sup> Elisha Qimron, "Chickens in the Temple Scroll (11QT<sup>c</sup>)," *Tarbiz* 64 (1995), 473-476 (Hebrew).

<sup>12</sup> García Martínez, *et al.*, DJD 23, 411-414 and Plate 48.

<sup>13</sup> This is not a very pointing overlap, since the overlapping words are extremely common and 11QT<sup>a</sup> does not contain the key words of this fragment. See: García Martínez, "Temple Scroll," 929.

although phrases in fragment 3<sup>14</sup> indicate that the contents and phraseology of 11QT<sup>c</sup> must have been similar to that of the *Temple Scroll*. On the basis of these arguments there is little reason to treat these three fragments as another copy of the *Temple Scroll*. Because of the physical appearance, the ruling and the writing of these fragments show much correspondence with the preserved Jubilees fragments of 11Q20, the fragments have also been attributed to this document. The attribution of these fragments to 11Q20 causes some difficulties, since their contents do not correspond to the known text of *Jubilees*. Qimron is of the opinion that 11QT<sup>c</sup> is integral to the *Temple Scroll* and he places fragment 3 at the beginning of column 48 of the *Temple Scroll*.<sup>15</sup> There are two reasons why his designation has been retained. The first reason is that the fragments cannot be connected to the known text of *Jubilees*. The second reason is that the shared vocabulary with the *Temple Scroll* may be an indication that the fragments may contain missing parts of the *Temple Scroll* or of another work that discusses similar themes.<sup>16</sup>

#### 6.1.1.4 4QT<sup>b</sup> (4QRouleau du Temple/4Q524)

4QT<sup>b</sup> is the oldest text that parallels the *Temple Scroll*. Émile Puech, the official editor of the text, identified the fragments as another copy of this text.<sup>17</sup> The manuscript is written in a semi-cursive hand of the early Hasmonean period and can be dated to 150-125 B.C.E. It was found in Cave four, the most important storage place of the Qumran community. The manuscript consists of 39 fragments. More than half of these fragments overlap with 11QT<sup>a</sup>, and one with 11QT<sup>b</sup>, although they do not contain an identical text.<sup>18</sup> The biggest fragment (frag. 25) has no parallel in the

<sup>14</sup> These phrases are: “to come to my city” in line 2; “in the entire sanctuary” in line 4, and “sanctuary” in line 5.

<sup>15</sup> Qimron, *Critical Edition*, 69.

<sup>16</sup> See García Martínez, “Temple Scroll,” 929.

<sup>17</sup> For the official edition of 4QT<sup>b</sup> see: Émile Puech, “4QRouleau du Temple,” in: Émile Puech (ed.), *Qumrân Grotte 4, XVIII: Textes hébreux (4Q521-4Q528, 4Q576-4Q579)* (DJD 25; Oxford: Clarendon Press, 1998), 85-114 and plates VII-VIII.

<sup>18</sup> Parallels (although with significant variants) can be detected between 4QT<sup>b</sup> frgs. 6-13 and 11QT<sup>a</sup> 59:17-60:6; between 4QT<sup>b</sup> frg. 14 and 11QT<sup>a</sup> 64:6-11; and between 4QT<sup>b</sup> frgs. 15-22 and 11QT<sup>a</sup> 66:8-17.

reconstructed text of the *Temple Scroll* and there are also 15 other fragments that remain unidentified. The fragments that parallel 1QT<sup>a</sup> must all be placed at the end of the document. Because the end of a scroll, when it is correctly rolled up, usually is better preserved than the beginning sheets at the outside of a scroll, the editor could reasonably conclude that 4QT<sup>b</sup> was another copy of the *Temple Scroll*.<sup>19</sup> Yet, it seems that 4QT<sup>b</sup> and 11QT<sup>a</sup> did not have the same text and it is uncertain whether 4QT<sup>b</sup> contained all the columns that are attested in 11QT<sup>a</sup>. Because the manuscript of 4QT<sup>b</sup> is at least one hundred years older than 11QT<sup>a</sup>, it is likely that the former is an earlier edition of the *Temple Scroll*. This earlier version underwent a reworking, perhaps in Qumran, the result of which is now known as the *Temple Scroll* and which is attested in 11QT<sup>a</sup>.<sup>20</sup>

#### 6.1.1.5 4QTemple?(4Q365a)

The fifth possible attestation of the *Temple Scroll* is a manuscript known as 4QTemple? (4Q365a). It contains five fragments that are dated by paleography to 125-75 B.C.E. and that were copied by the same scribe as 4QReworked Pentateuch<sup>c</sup> (4QRP<sup>c</sup>). Only one of the five fragments contains parallel text to 11QT<sup>a</sup>, but this text is not identical to 11QT<sup>a</sup>. The other four fragments do not contain parallel text, but they are similar to subject matter of the *Temple Scroll*. Florentino García Martínez has shown that 4QT? Is not a copy of the *Temple Scroll*, but of the *Reworked Pentateuch*.<sup>21</sup> Parallels to the *Temple Scroll* can be explained by the fact that the *Reworked Pentateuch* “incorporates materials related to biblical manuscripts, to other compositions such as the *Temple Scroll* and the *New Jerusalem*, and also to previously unknown works.”<sup>22</sup> Consequently, 4QT? should not be regarded as a copy of the *Temple Scroll*, but it is probable that part of the material of this manuscript was also used as a source in the redaction of the *Temple Scroll*.<sup>23</sup>

<sup>19</sup> Also because the preserved variant readings “are of the sort that usually appear during the copying process.” See García Martínez, “Temple Scroll,” 928.

<sup>20</sup> See White Crawford, *The Temple Scroll and Related Texts*, 14.

<sup>21</sup> Florentino García Martínez, “New Perspectives on the Study of the Dead Sea Scrolls,” in: Florentino García Martínez, and Ed Noort (eds.), *Perspectives on the Study of the Old Testament and Early Judaism* (Leiden: Brill, 1998), 230-248.

<sup>22</sup> See García Martínez, “Temple Scroll,” 928.

<sup>23</sup> See Sidnie White Crawford, “4QTemple?,” in: H. Attridge, T. Elgvin, et al. (eds.), *Qumran Cave 4.VIII: Parabiblical Texts Part 1* (DJD 13; Oxford: Clarendon Press, 1994), 319-334, and

### 6.1.2 Structure

The redactor of the *Temple Scroll* composed the various parts of the document in a systematic manner. Although the beginning of the work is completely lost, already in the second column it becomes clear that the *Temple Scroll* has, as a narrative framework, the making of the covenant at Sinai. The work is pictured as a revelation of God to Moses.<sup>24</sup> The author replaced the parts in Deuteronomy in which Moses speaks to the people of Israel in the first person, as the direct speech of God.<sup>25</sup> In this way, the *Temple Scroll* is shaped in a manner that it contains words of God providing a kind of a new Deuteronomy for the entire people of Israel. Yet, in some cases it appears as though the author forgot this narrative setting and uses the third person from the biblical text.<sup>26</sup> The new law represented by the *Temple Scroll* is directed to the entire people of Israel and provides a new version of Deuteronomy 12-23. The document contains laws that are known from the canonical books of Exodus, Leviticus and Numbers and other material that is not known from biblical texts.

After the introduction of the narrative framework in column 2, the laws in the *Temple Scroll* can be divided into four major categories.<sup>27</sup> The

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plates XXXIII-XXXIV; *Idem, The Temple Scroll and Related*, 15; and García Martínez, "Temple Scroll," 928.

<sup>24</sup> Put in this setting, the framework has close resemblances with the narrative framework of the *Book of Jubilees*.

<sup>25</sup> Yadin, *The Temple Scroll* I, 71.

<sup>26</sup> This is a.o. the case with all the regulations on the festivals and their offerings in columns 13-29. According to Yadin (*The Temple Scroll* I, 72-73) this can be explained by "(...) the author's wish to present the law as if handed down by God, and not through the mouth of Moses. This aim is particularly evident in light of the fact that he decided to make alterations to the text of Deuteronomy, while retaining the language of the commands from Exodus, Leviticus and Numbers – especially the laws of the festivals and offerings – where God is mentioned in the third persons, since the text there states explicitly that these are the words of God (...) Using the terminology employed in biblical criticism, it may thus be said that the author of the scroll converts the words of Moses from the Deuteronomistic source into the words of God by transposing the text from the third persons, but that he leaves in the third person the words found in the priestly sources and transmitted from God's lips."

<sup>27</sup> See Angelo Vivian, *Rotolo del Templo*, 23-24; García Martínez and Van der Woude, *De Rollen van de Dode Zee*, 134; García Martínez, "Temple Scroll," 929; White Crawford, *The Temple Scroll and Related Texts*, 33-65. Stegemann (*Die Essener, Qumran, Johannes der Täufer und Jesus*, 137) is of the opinion that the *Temple Scroll* consists of two parts. The first part (columns 3-47) is an extension of the laws of the canonical Torah, and the second part



first category is concerned with the building of the Temple, which is discussed in two separate units. Columns 3-13 deal with the building of the temple and the altar, and columns 30-45 describe the temple courts and its buildings. Between the units dealing with the first category of the building of the temple, the second category is discussed in columns 13-29. This second category deals with the festival cycle and its accompanying offerings. Among the festivals and offerings listed are the festivals of the first fruits of the grain, wine, oil and of the wood offering. The third category (columns 45-51) discusses the ritual purity, for example, that of the temple and the holy city (columns 45-47) and more general purity regulations (columns 48-51). The last category is a rewriting of the laws of Deuteronomy 12-23, including an elaborate treatment of the “Kings law” of Deut 17:14-20 in columns 56-59, regulations pertaining to Levites (column 60:1-11) and crucifixion as a punishment for a capital crime (column 64:6-13).

<b>The Temple Scroll</b>	
<b>Col. –2</b>	Introduction: narrative framework
<b>Col. 3-13 and 30-45</b>	A: Building of the Temple
<b>Col. 13-29</b>	B: The Festival Calendar
<b>Col. 45-51</b>	C: The Purity Law
<b>Col. 52-66</b>	D: Expanded Deuteronomy

*Table 1: Structure of the Temple Scroll*

### 6.1.3 Sources

The systematic arrangement of categories in the *Temple Scroll* makes it less difficult to identify the sources the author of the document used to compose his work. Firstly, the author used the canonical Torah and especially the book of Deuteronomy, the text of which he adopted to match his own ideas by combining various biblical expressions, harmonization, explanations, elaborations and modifications.<sup>28</sup> Besides extensive use of the Torah, the author also utilized other sources, such as a document with indications for the building of the temple, a festival calendar, a document containing purity

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(columns 51-66) is a rewriting of the law book Deuteronomy 12-26. Swanson maintains a six-fold structure. See: Dwight D. Swanson, *The Temple Scroll and the Bible. The Methodology of 11QT* (STDJ 14; Leiden/New York/ Köln: E.J. Brill, 1995), 3-6.

<sup>28</sup> See Yadin, *The Temple Scroll* I, 71-88.

regulations and an exegesis of the book of Deuteronomy from which the author took the “King’s Law,” the regulations for the Levites and the crucifixion rules.<sup>29</sup>

#### 6.1.4 Language

The language of the *Temple Scroll* has one striking feature that is not found to this extent in any other scroll. This remarkable characteristic is that YHWH is presented as speaking in the first person singular.<sup>30</sup> As was stated above, the author of the *Temple Scroll* used biblical texts to create his own document. He also tried to imitate the writing style of the text he used from the bible. Yet, sometimes he could not prevent the phraseology typical of his own time, from infiltrating. As a result, the *Temple Scroll*, in some instances, contains remarkable variants from the biblical text.<sup>31</sup>

#### 6.1.5 Genre

It is hard to specify the document’s genre. Yadin regards the document as a “rewritten Torah.” This is a common genre that tries to uniform the canonical Torah and to solve problems in the canonical text.<sup>32</sup> Hartmut Stegemann sees the *Temple Scroll* as the sixth book of the Torah that should be added equally in rank as the five first books. This sixth Torah book is a new law that elaborates on older ones.<sup>33</sup> According to Stegemann, there is an explanation why the *Temple Scroll* was never added to the first five books of the Torah. It appeared to be impossible to add the later originated sixth book to the first five, because the Persian authorities had acknowledged the latter already as the one and only state law for the Jews living in Jerusalem and Judea. B.Z. Wacholder is of the opinion that the *Temple Scroll* is a kind of second Torah that Moses received on Mount Sinai. This second Torah was to be revealed when the first Torah would have to be replaced because of the sins of the people of Israel. In this situation, the *Temple Scroll* would present

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<sup>29</sup> See Andrew Wilson and Lawrence Wills, “Literary Sources of the Temple Scroll,” *HTR* 75 (1982), 275-88.

<sup>30</sup> Yadin, *Hidden Law*, 65.

<sup>31</sup> For details on linguistic features of the document see Yadin, *The Temple Scroll* I, 33-39.

<sup>32</sup> See for a detailed discussion on the composition and editing of the scroll: Yadin, *The Temple Scroll* I, 71-88.

<sup>33</sup> Stegemann, *Die Essener, Qumran, Johannes der Täufer und Jesus*, 137.

itself as this second Torah, an everlasting law, which is superior to the first, and meant to replace the first Torah as the only normative law of the future.<sup>34</sup> García Martínez and Van der Woude are of the opinion that the biblical text may be cast in a different form as a result of the explanation of the text. The explanation of the biblical text is revealed by God and therefore normative. García Martínez and van der Woude agree with M.O. Wise, that the *Temple Scroll* may be regarded as a new Deuteronomy. However, they differ in opinion with Wise in that they do not think that the *Temple Scroll* was meant to replace Deuteronomy 12-26 “at the end of days.” Rather, they think that the *Temple Scroll* as interpreted as a new Deuteronomy is the only legitimate way to the understanding of the true meaning of the biblical text.<sup>35</sup>

#### 6.1.6 Provenance and Dating

It is unclear where and when the original version of the *Temple Scroll* was composed. Some scholars argue that the *Temple Scroll* was written independently from the Qumran community. Other scholars believe that it is a document that came into being within the Qumran community. García Martínez and van der Woude are of the opinion that the *Temple Scroll* was written prior to the foundation of the Qumran community and was composed in circles out of which afterwards the community of Qumran arose.<sup>36</sup>

Taking the architectural and ritual information, and the regulations for offering from the first used source into account, it is likely that the document has its roots in priestly circles for whom the temple was a central focus point and for whom ritual purity was of vital importance. The work exposes some major differences with the existing temple of that time. The description of the temple in the *Temple Scroll*, however, is not some sort of idealistic prophetic vision in the future of a temple that will be erected by

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<sup>34</sup> This view is elaborately developed in Ben Zion Wacholder's monograph, *The Dawn of Qumran. The Sectarian Torah and the Teacher of Righteousness* (HUCM 8; Hebrew Union College Press, 1983), esp. xiii-xv and chapters 1 and 2.

<sup>35</sup> See García Martínez and Van der Woude, *De Rollen van de Dode Zee I*, 135.

<sup>36</sup> See Yadin, *The Temple Scroll I*, 390-99; cf. Lawrence H. Schiffman, *Sectarian Law in the Dead Sea Scrolls* (BJS 33; Chico, CA: Scholars Press, 1983), 13-14; Hartmut Stegemann, “The Origins of the Temple Scroll,” in: J. A. Emerton (ed.), *Congress Volume Jerusalem 1986* (VTSup 40; Leiden: Brill 1988), 235-256; García Martínez and Van der Woude, *De Rollen van de Dode Zee I*, 135.

God at the end of days.<sup>37</sup> On the contrary: the document provides a concrete building program, which was revealed at Mount Sinai and is therefore normative. From the *Temple Scroll* can be drawn that the author regarded the existing sanctuary as a fraud. The author wanted to appeal to the revealed regulations of God.<sup>38</sup>

The *Temple Scroll* shares the same priestly outlook as can be found in the *Damascus Document* (CD) and the *Rule of the Congregation* (1QSa). The regulation in the *Temple Scroll* that monogamy is an obligation for kings can also be found in CD 4:20ff. where it is extended to everybody. The *Rule of the Congregation* contains the similar hierarchy between king and high priest. These indications show that in, presumably, the Hasmonean Period there were groups opposed to the prevailing authority relations. These groups advocated that the king's authority should be controlled by that of the high priest and denied the king any cultic activity.

García Martínez and van der Woude oppose the idea that the "King's law" of the *Temple Scroll* did not come into being before the reign of Alexander Jannaeus (103-76 B.C.E.). The *Temple Scroll* is milder in tone than the harsh polemics against the Hasmonean reign that is attested in later Qumran writings. Thus, it is more likely that the *Temple Scroll* was composed in the early days of the national independence.<sup>39</sup>

Although the exact place of provenance of the *Temple Scroll* cannot be determined, this study regards the *Temple Scroll* as a Qumran text because it was found as part of the Qumran library. This study does not make a decision as to whether or not the text was actually composed at Qumran.

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<sup>37</sup> This idea is sustained by the mentioning of the eschatological temple in 11QT<sup>a</sup> 29:8-10 which reads: (8) ואקדשה [את מ]קדשי בכבודי אשר אשכין (9) עליו את כבודי עד יום הבריה אשר (10) להכינו לי כול הימים כברית אשר כרתי עם יעקוב בבית אל מקדשי (8) "I shall sanctify my [te]mple with my glory, for I shall make my glory reside (9) over it until the day of creation, when I shall create my temple, (10) establishing it for myself for all days, according to the covenant which I made with Jacob at Bethel." (See for text and translation of 11QT<sup>a</sup> 29:8-10: García Martínez and Tigchelaar, *DSSSE* II, 1250-1251.

<sup>38</sup> García Martínez and Van der Woude, *De Rollen van de Dode Zee* I, 135.

<sup>39</sup> García Martínez and Van der Woude, *De Rollen van de Dode Zee* I, 136.

### 6.1.7 Relation to Other Qumran Writings

Despite the fact that the *Temple Scroll* does not share with later Qumran writings the harsh polemics against the Hasmoneans, there are also many similarities. The most striking similarities are the prohibitions against polygamy, against marriages between an uncle and a niece and against sexual unions in Jerusalem (CD); the exclusion of women from the holy city and the camp during the eschatological war; parallels pertaining to the military organization and the place of the toilets (*War Scroll*); the punishment by crucifixion (Nahum commentary of 4Q); and the calendar with the explicit mentioning of the festival of oil on the 22<sup>nd</sup> of the sixth month (4Q327). The people that are denied access into the congregation in 1QSa are the same to whom access to Jerusalem is denied in the *Temple Scroll*. Also the description of the tasks for Levites and the councils of the king and the community agree with other Qumran writings.

All these parallels cannot prevent that the overall idea remains that the *Temple Scroll* must have been written prior to the foundation of the community in Qumran and the rigorous schism from the temple in Jerusalem. There are many differences in the matters in which the explicit sectarian texts seem to be interested, the way in which scripture is explained in the *Temple Scroll* differs remarkably, jurisdiction is deviating, and one of the most important Qumranic festivals (the Feast of Weeks) is absent in the *Temple Scroll*. Moreover, there are remarkable differences in parlance (for example, regarding the designation of the high priest) and the attitude towards the temple and authorities in later texts do not correspond to those in the *Temple Scroll*.

The parallels and differences make sense, however, when it is assumed that the *Temple Scroll* was written in circles out of which, in a later period, the Qumran community originated. This implies that the document was written prior to the establishment of the community in Qumran. This idea also corresponds to the striking resemblances in vocabulary, contents and concrete laws between the *Temple Scroll* and 4QMMT.

It is equally hard to establish an exact dating for the original composition. Dates vary between the fourth century B.C.E. and the first century C.E. Logically, the work is younger than the sources it used, but it is also difficult to determine their date. The festival calendar of the *Temple Scroll* is dependent on the Henoch calendar, which survived in Aramaic texts

from Qumran and which may go back to the fourth century B.C.E. Although the calendar which the *Temple Scroll* used as its source is presumably younger than this period, it is less refined than the calendar of the book of *Jubilees* and other writings from Qumran. The dates are imprecise when it comes to cultic festivals. This indicates that the calendar used as source must stem from the end of the third, or the beginning of the second century B.C.E.

Another indication for the time in which the original document may have been composed is the prohibition to carry skins of animals not slaughtered in the temple into Jerusalem (column 47). This prohibition is much stricter than the regulation in the decree of the Seleucid king Antiochus III (223-187 B.C.E.), which only forbade skins of unclean animals. It is clear, that there is a relationship between the regulation in the *Temple Scroll* and the decree of Antioch III. Yet, this relationship may be explained in different ways. Yadin was of the opinion that the regulation in the *Temple Scroll* sharpened the decree of Antioch III and therefore had to be of a younger date. It is, on the other hand, also possible to think that Antioch chose less harsh regulations than the ones that were suggested to him. In this case, the regulation of the *Temple Scroll* could be older. García Martínez and van der Woude adopt a dating in the Seleucid period for the work that was the basis for column 47.<sup>40</sup>

Another used source, the purity regulations, does not provide insight into the provenance and date of the document. The only thing that can be stated with relative certainty is the sharpening of purity regulations as the result of the Maccabean revolt (167-164 B.C.E.). Josephus places the rise of Jewish religious sects and their re-interpretation of the purity regulations, in this period. Rabbinic tradition also situates the disputes between Sadducees and Pharisees about purity norms in this period. This is why it is not unlikely that the time shortly after the Maccabean revolt could have been the time in which the ideas reflected in the *Temple Scroll* were developed.

The interpretation of Deuteronomy contains in the “King’s law” elements that point to a somewhat later date. The discussions preceding the inauguration of Simon Maccabaeus that can be derived indirectly from 1 Macc 1:48 could have been the cause for the ideas of the “King’s law.” Because the “King’s law” can be situated in the Maccabean Period and the *Temple Scroll* is older than the *Damascus Document* (end of the second, beginning of the first century B.C.E.), García Martínez and van der Woude

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<sup>40</sup> García Martínez and Van der Woude, *De Rollen van de Dode Zee* I, 138.

are of the opinion that the original composition of the *Temple Scroll* most likely took place in the second half of the second century B.C.E. The document stems from the same background and the same date as 4QMMT.<sup>41</sup> Contrary to 4QMMT, the *Temple Scroll* is not directed to one special party or groups, but to the entire people of Israel. Therefore, it could be possible that the *Temple Scroll* is a few years younger than 4QMMT.

The *Temple Scroll* is an anonymous work and its author cannot be identified. However, the work must be regarded as one of the most distinguished Jewish documents of the second century B.C.E.

## 6.2 Disability in the *Temple Scroll*

The *Temple Scroll* contains one passage that may refer to physical blemished priests and one passage with a clear reference to blindness. The first passage survived in 11QT<sup>a</sup> 35:2-3 and the second passage can be found in 11QT<sup>a</sup> 45:12-14 and presumably also in 11QT<sup>b</sup> 12 *frag.* 21 i:6-7. This paragraph presents the text and translation of the passage on blemished priests in 11QT<sup>a</sup> 35:2-3 and of the passage on blind persons in 11QT<sup>a</sup> 45:12-14 and 11QT<sup>b</sup> 12 *frag.* 21 i:6-7. After this presentation, comments follow on grammatical, semantical and textual issues.

### 6.2.1 Blemished Priests in 11QT<sup>a</sup>35:2-3

11QT<sup>a</sup> 35:2-9 contains a passage that excludes certain groups of people from the inner court. Unfortunately, the text of this passage is very fragmentary.<sup>42</sup> It was written on the top of the sheet that is almost completely lost. Much of the writing on the remaining leather has peeled off, but on the back of column 36 the text has been preserved in mirror image. On the first two lines only a few words have remained at the beginning of the lines. On lines 3-5 several words have been preserved at the beginning and the very end of the lines. From line 6 on, much of the text could be reconstructed.<sup>43</sup>

The passage is listed in a section devoted to the structures in the inner court. The section begins in 11QT<sup>a</sup> 30 and ends in 11QT<sup>a</sup> 38:10, after

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<sup>41</sup> García Martínez and Van der Woude, *De Rollen van de Dode Zee* I, 138.

<sup>42</sup> Yadin, *The Temple Scroll* II, 50; García Martínez and Tigchelaar, *DSSSE* II, 1254; Steudel, *Die Texte aus Qumran II*, 68; PAM 5035.

<sup>43</sup> Yadin, *The Temple Scroll* II, 147.

which a complete *blank* line follows. The author of the scroll discusses the structures from the inside to the outside: he starts with the main structures and ends his discussion with the walls and gates.<sup>44</sup> After a description of the slaughter house, a poorly preserved passage follows that forbids certain people to enter into the area surrounding the altar, the sanctuary, laver and the porch.

Below follows the transcription of the passage based on the photograph of the column and on the reconstruction by Elisha Qimron.<sup>45</sup> The text between brackets is reconstructed by the editor.

### 11QT<sup>a</sup> 35:2-9

#### *Text*

משחת קודש]	כול איש אשר לוא]	2
הק[ודש	תהי]ה כול איש אשר לוא]	3
ימש]ח ממנה וכול	[איש מבני ישראל אשר יביא אותה ו]	4
הוא כוהן יומת וכול איש מה[כוהנים בני אהרן]	אשר יביא	5
אותה והוא אין הוא לבוש בג[די הקודש או אשר	לוא מלא את	6
ידיו גם המה יומתו ולוא יחלל[ו את מק]	דש אלוהיהמה לשאת	7
עוון אשמה למות וקדשת(מ)ה את סביב למזבח ולהיכל ולכזור		8
ולפרור והיה קודש קודשים לעולם ועד	<i>vacat</i>	9

#### *Translation*

- 2 ] any man who is not [ holy oil]  
 3 shall b]e any man who is not[ h]oly  
 4 [anoint]ed with it and any [man from the children of Israel who brings it in and] who is not  
 5 a priest shall be put to death, and any man who is from [the priests, the sons of Aaro]n who enters  
 6 it and he is not clothed with the [holy] gar[ments or who is ]not ordained  
 7 to minister, they, too, shall be put to death. And they shall not def[ile the sanctuary of their God, incurring

<sup>44</sup> An exception to the author's practice is the discussion of the altar, which already took place in 11QT<sup>a</sup> 11-12.

<sup>45</sup> Qimron, *Critical Edition*, 50.



8 iniquity and guilt of death. And you shall sanctify the surroundings of the  
altar and the sanctuary and the laver  
9 and the porch, and it shall be most holy for ever and ever. *Blank*

Due to the very fragmentary character of the passage, it is extremely hard to reconstruct the prohibitions in detail. Yet, from lines 8-9 it can be gathered that the rulings in this passage are concerned with persons who are prohibited to enter the inner court.<sup>46</sup> Trespassing the prohibition will lead to the death penalty. According to Qimron, it is likely that the missing parts in lines 2-4 allude to Exod 30:22-33, which deals with the making of holy oil and the anointment of the tabernacle with this oil. Yadin, on the other hand, refers to Lev 22:3 and Lev 21:16-18 as a possible source for the missing text in 11QT<sup>a</sup> 35:2-4. He is of the opinion that the two prohibitions that can be inferred from lines 5-7 and that deal with a man who is not a priest and with a priest who enters without holy garments, fit well with the prohibitions for a blemished or unclean priest.<sup>47</sup> Schiffman accepts the identification of the groups proposed by Yadin.<sup>48</sup> He points to the fact that if 11QT<sup>a</sup> 35:2-4 indeed contained a reference to blemished priests, the *Temple Scroll* contains two passages on the exclusion of the disabled. The first passage is contained here in lines 2-3, and applies only to priests. The second passage applies to common Israelites who are blind and is preserved in 11QT<sup>a</sup> 45:12-14 and 11QT<sup>b</sup> 12 frag. 21 i:6-7. These latter passages are discussed below.

Although Yadin rightly observed that thematically the exclusion of the unclean and blemished priests can be linked to the exclusion of someone not a priest and a priests not properly dressed,<sup>49</sup> it is impossible to draw conclusions about the position of blemished priests in *Temple Scroll* based upon this fragmentary text.

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<sup>46</sup> These are the surroundings of the altar, the sanctuary (*heikhal*), the laver and the porch.

<sup>47</sup> Yadin, *The Temple Scroll* II, 147-148.

<sup>48</sup> See Lawrence H. Schiffman, "Exclusion from the Sanctuary and the City of the Sanctuary in the Temple Scroll," *HAR* 9 (1985), 302-303.

<sup>49</sup> Cf. also 1QM 7:7-6; 1QSa 2:3-9.

### 6.2.2 The Blind in 11QT<sup>a</sup> 45:12-14<sup>50</sup>

The clearest reference to disability in the *Temple Scroll* is a law that bans blind persons from the city and it is written in 11QT<sup>a</sup> 45.<sup>51</sup> This column, of which 18 lines or vestiges of them have been preserved, is written on a new sheet. The top of the sheet is almost completely lost. Of the first two lines only a few letters survived, lines 3 and 4 have several words remaining and in lines 4 to 6 only a few characters are missing. Small parts of the text peeled off, but they adhered to the back of column 46 in mirror image and are clearly legible. Column 45 is the first column on a sheet that has wider columns than the columns on the preceding sheets on the scroll.<sup>52</sup> From this sheet onwards, the columns also contain more characters per line. The average number of characters in the preceding column was 38, compared with an average of 53 symbols and spaces per line in this column.

11QT<sup>a</sup> 45 marks the end of the first literary section of the document that is concerned with the building of the temple, several prohibitions regarding entry into the temple, the temple cities and other cities are listed. Several groups of people are excluded: men who had a nocturnal emission (11QT<sup>a</sup> 45:7-10) or an emission of semen during sexual intercourse (11QT<sup>a</sup> 45:11-12), blind persons (11QT<sup>a</sup> 45:12-14), persons who had a discharge (11QT<sup>a</sup> 45:15-17), persons who had contact with the dead (11QT<sup>a</sup> 45:17), and persons suffering from leprosy and diseased persons (11QT<sup>a</sup> 45:17-18). All these groups are regarded as sources of pollution and in each case, except for the blind, purification requirements are given. Characteristic of each law is the phrase לֹא יָבוֹא אֶל and the fact that each ruling is derived from biblical texts.

<sup>50</sup> See for photographs of column 45: Yadin, *The Temple Scroll* III, plate 60. See also PAM 5045.

<sup>51</sup> A parallel to the passage in 11QT<sup>s</sup> 45:12-14 can be found in 11QT<sup>b</sup> 12 frag. 21 i:6-7. See for the official edition of the document DJD 23, 357-410 and plates 41-47. Yadin (*The Temple Scroll* II, 188-189) already discussed the document in his edition of the *Temple Scroll*. 11QT<sup>b</sup> 12 frag. i:6-7 is a severely damaged fragment. Because of the many words missing it is far from certain that it contained the same text as 11QT<sup>a</sup> 45:12-14 and therefore it cannot be of use to this study.

<sup>52</sup> The preceding column had a width of the written surface between the vertical guidelines of the margins of 89 mm, while this column has a width of 127 mm. See Yadin, *The Temple Scroll* II, 188.

### 11QT<sup>a</sup> 45:12-14

*Text*

12 כול איש עור *vacat* (...) 12  
13 לוא יבואו לה כול ימיהמה ולוא יטמאו את העיר אשר אני שוכן 13  
14 בתוכה כי אני יהוה שוכן בתוך בני ישראל לעולם ועד *vacat* 14

*Translation*

12 (...) *Blank* No blind person  
13 shall enter it all their days, and they shall not defile the city in whose midst I dwell  
14 because I, YHWH, dwell in the midst of the children of Israel for ever and always. *Blank*

#### 6.2.3 Comments

Since it is hard to draw any solid conclusion based upon the fragmentary remains of 11QT<sup>b</sup> 12 *frag.* 21 i, this study focuses on 11QT<sup>a</sup> 45:12-14. Where needed, reference is made to 11QT<sup>b</sup>. The text of 11QT<sup>a</sup> 45:12-14 is well preserved and there are no difficulties restoring the text. There are, however, elements that deserve closer attention.

L. 12-13 כול איש עור לוא יבואו לה

After the singular איש one would also expect a singular verb, but this is not the case. Yadin explains this incongruence by stating that the prohibition is taken from a list that included more disabilities that have somehow been omitted. The plural verb after these assumed deformities, however, remained.<sup>53</sup> According to Yadin it is very likely that the author of the *Temple Scroll* used Lev 21:18-20 as a source text. This latter text contains a list that is headed by עור, “blindness” and that excludes priests who suffer from them from performing the sacrificial ritual. Yadin is certain that although the *Temple Scroll* only mentions blind persons, the document’s author meant to

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<sup>53</sup> So that the list could have been something as: לוא יבואו ... כול איש עור וכול איש

exclude every person with any of the defects listed in Lev 21:18-20.<sup>54</sup> Consequently, the blind mentioned in the *Temple Scroll* merely function as an example for every possible bodily defect.

The question as to whether or not the text originally contained more blemishes than blindness, could be answered by looking at the other copy of the *Temple Scroll* (11QT<sup>b</sup> 12 frag. 21 i:6-7) that in all likelihood contained the same passage. As was already stated above, this copy is very damaged. Because of the large lacunas on fragment 11QT<sup>b</sup> 12 frag. 21 i it cannot be solidly proven that 11QT<sup>b</sup> also only mentions blind persons. There would be enough space to fill in more blemishes before or after עור, blindness. Consequently, a comparison with 11QT<sup>b</sup> cannot determine whether or not the occurrence of only blindness in 11QT<sup>a</sup> is original.

The question remains, as to *why* the 11QT<sup>a</sup> only mentions blind persons. As was already discussed above, Yadin is of the opinion that the blind are used here as an example of all the deformities listed in Lev 21:18-20. Schiffman, does not agree with Yadin for he reasons that the omission of the other deformities can be explained as an oversight of the author of the *Temple Scroll*.<sup>55</sup> He does not, however, explain whether this oversight relates to the fact that only blind persons are mentioned, or to the incongruence between the singular noun and the plural verb. If Schiffman intends to express the latter possibility, the occurrence of the plural verb after the singular noun could best be explained as a *constructio ad sententiam*. Although Qimron does not address this aspect in his monograph *The Hebrew of the Dead Sea Scrolls*,<sup>56</sup> the construction כל plus singular noun followed by a plural verb occurs more often in the *Temple Scroll*.<sup>57</sup> Other examples from biblical writings show that it is not exceptional that the noun כול followed by a singular noun is followed by a verb in plural. This is the case, for example, when the combination of כול + noun, implies a whole group of people. An instructive example of such an implied plural that is expressed by כול + noun can be found in Judg 20:33a. The text reads: וכול איש ישראל קמו ממקומו, “and every man of Israel moved from his place.”<sup>58</sup> The plural verb is caused

<sup>54</sup> Yadin, *The Temple Scroll* II, 193 and *Idem*, III, 291.

<sup>55</sup> Schiffman, *Eschatological Community*, 49.

<sup>56</sup> Elisha Qimron, *The Hebrew of the Dead Sea Scrolls* (HSS 29; Atlanta, Georgia: Scholars Press, 1986).

<sup>57</sup> See, e.g., 11QT<sup>a</sup> 50:20; For other examples in the Dead Sea Scrolls see, e.g., 4Q215a fii:8; See also S.A. Kaufman, “The Temple Scroll and Higher Criticism,” *HUCA* (1982), 35.

<sup>58</sup> Other examples can also be found in, e.g., Exod 12:47; Lev 4:13; Judg 7:6; 2 Kgs 25:5; 1 Chr 4:27; 10:6; Job 40:20; Is 60:7; Jer 52:8.

by the fact that the author of the text had more than one Israelite man in mind, but it is doubtful that he was also thinking of other groups of people he did not mention. Therefore, it is likely that the author of the *Temple Scroll* uses a plural verb here to stress the fact that the ban applies to *every* blind person.

#### L. 13 לוא יבואו לה

Since the *Temple Scroll* deals with temple matters it is not unlikely that the feminine suffix ה- refers to the temple city.<sup>59</sup> This can also be inferred from the following words ולוא יטמאו את העיר אני שוכן “so that they will not defile the city in which I dwell.” The phrase probably alludes to Deut 23:3-4.

The phrase לוא יבוא is probably derived from 2 Sam 5:8b, which states לוא יבוא אל הבית and/or texts with a similar formulation as Ezek 44:9 that states לא יבוא אל מקדשי.<sup>60</sup> The expression בוא followed by a noun of place or a pronoun that replaces such a noun is common in Qumran Hebrew.<sup>61</sup>

#### L. 13 כול ימיהמה

These words indicate that the ruling is not to be understood in a Messianistic sense, but that they were applicable before the End of Days. Although the *Temple Scroll* draws an utopist picture of the way the temple should be like, this is a picture the author wanted to become reality in this life.

#### L. 13-14 לוא יטמאו את העיר אשר אני שוכן בתוכה

This phrase alludes to Num 5:3 which excludes impure persons from the camp by stating: ולוא יטמאו את מחניהם אשר אני שכן בתוכם. It may be possible that this motivation for excluding blind persons from the Temple can be equalled with the observation in 1QSa 2:3-11 and 1QM 7:4f. that holy angels are present. According to Yadin, the fact that YHWH dwells in the Temple city is the reason for its holiness.

The form יטמאו is a *pi'el* imperfect third person plural of the verb טמא. Its basic meaning is “to pollute.” Forms of *pi'el* have causative force

<sup>59</sup> References to the city can also be found in 11QT<sup>a</sup> 45:17.18. Yadin, *The Temple Scroll II*, 289.

<sup>60</sup> Saul M. Olyan, “The Exegetical Dimensions of Restrictions on the Blind and the Lame in Texts from Qumran,” *DSD* 8.1 (2001), 40.

<sup>61</sup> Olyan, “Exegetical Dimensions,” 42; Qimron, *The Hebrew of the Dead Sea Scrolls*, 88; DJD 10, 88. See for more examples: e.g., 1QM 7:3; 11QT<sup>a</sup> 47:6; 48:15.

and therefore a *pi'el* verb form of the root טמא, “unclean” could be rendered as “to cause to become unclean, to pollute.” The *Temple Scroll* does not explicitly state here that blind persons *in themselves* are unclean. If the author wished to express that blind person were unclean he could have used a *qal* form of the verb טמא, which would then mean “to be unclean.” Qimron and Strugnell are of the opinion that the verb טמא in 11QT<sup>a</sup> 45:13 means “to profane” rather than “to pollute.”<sup>62</sup> They are supported by Shemesh.<sup>63</sup> The reason for their conviction is that no other Qumran text regards blind persons as polluting, they only state that blind persons have the power to profane. Yet, it is not sound to impose consistency upon individual Qumran writings.<sup>64</sup> The verb טמא always means “to pollute” and never “to profane” and the *Temple Scroll* sometimes has different legal positions than other texts from Qumran.<sup>65</sup>

Replacing the basic meaning of טמא, “to pollute” by the basic meaning of חלל, “to profane” is not acceptable. To harmonize inconsistencies between individual Qumran writings is not acceptable and one should allow for the fact that legal positions of the *Temple Scroll* are not always identical to other Qumran Scrolls.<sup>66</sup> There are major differences between the terms “to profane” (חלל) and “to pollute” (טמא). What does it mean when blind persons defile the temple instead of profaning it as is stated in Lev 21?<sup>67</sup> There are four possibilities to pollute the temple. 1) bring an unclean object into the temple (for example, bones or carcasses), 2) commit an “unclean” action in the temple (for example murder, eating unclean animals, having sexual intercourse), 3) transmit secondary impurity by being in a state of temporary uncleanness, 4) being in a state of permanent uncleanness (having a skin disease). The first two possibilities do not apply in this context. None of the rulings in the immediate context of the ban on blind persons deal with bringing unclean things into the temple or with profaning activities. The blind are grouped here among other persons who are unclean. Provisions to prevent profanation are listed elsewhere in the

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<sup>62</sup> DJD 10, 160-161.

<sup>63</sup> Aharon Shemesh, “‘The Holy Angels are in Their Council’: The Exclusion of Deformed Persons from Holy Places in Qumranic and Rabbinic Literature,” *DSD* 4 (1997), 201, n. 60.

<sup>64</sup> See Olyan, “Exegetical Dimensions, 43, n. 18.

<sup>65</sup> Stegemann, “The Origins of the Temple Scroll,” 239-40.

<sup>66</sup> See, e.g., Stegemann, “The Origins of the Temple Scroll,” 239-40.

<sup>67</sup> Felix N.W. Just, *From Tobit to Bartimaeus, From Qumran to Siloam: The Social Role of Blind People and Attitudes Toward the Blind in New Testament Times* (Dissertation Yale University 1997), 180, n. 59.

*Temple Scroll* (11QT<sup>a</sup> 47:3-18. This grouping already indicates that persons who were blind were considered unclean. The other option, that a person is either temporarily or permanently unclean could both apply. It may be that the author regarded blind persons in themselves unclean or that he thinks that a blind person became temporarily unclean through contact with unclean persons or objects. Yet, this does not change the overall conclusion, namely that the author of the *Temple Scroll* treated blind persons as unclean, regardless of whether their uncleanness is to be understood temporarily or permanently. However, from the additional phrase that blind person cannot enter the temple כול ימיהם, “all their days,” can be concluded that they were considered permanently unclean.<sup>68</sup>

#### L. 13-14 העיר אשר אני שוכן בתוכה

The noun עיר, “city” occurs very frequently in the *Temple Scroll*. It is one of the terms that are used next to היכל, עירי, בית, המקדש, מקדשי, הקודש, and עיר המקדש to refer to the sacred area of the sanctuary and its surrounding areas. It is impossible to make a clear distinction in terminology between these various terms since these terms overlap. From its context it becomes very likely that the suffix ה— after the preposition ל and the noun עיר in 11QT<sup>a</sup> 45:13 both refer to the phrase עיר המקדש in lines 11-12. The exact meaning of this phrase that occurs four times in the *Temple Scroll* and that is not attested in biblical literature has been a matter of controversy.

According to Yigael Yadin, the words עיר המקדש must be identified as the entire city of Jerusalem.<sup>69</sup> He states that there is a clear distinction between the two terms עיר, “city,” and מקדש, “sanctuary” and interprets the phrase עיר המקדש as “a city, inside of which is a sanctuary.” Jacob Milgrom agrees with Yadin and makes the observation that the term עיר nowhere in biblical or rabbinic literature refers to the sacred compound.<sup>70</sup>

The place where YHWH dwells is very holy and must therefore be kept from every kind of impurity. Not only YHWH’s dwelling place, but everything in it and everything brought into it must measure up to extreme purity standards. This idea is reflected in 11QT<sup>a</sup> 47:3-6, which states:<sup>71</sup>

<sup>68</sup> See Just, *From Tobit to Bartimaeus*, 180, n. 59.

<sup>69</sup> Yadin, *The Temple Scroll* II, 279-81.

<sup>70</sup> Jacob Milgrom, “The City of the Temple: A Response to L.H. Schiffman,” *JQR* (1994-1995), 125-128.

<sup>71</sup> The reconstructed text is taken from Qimron, *Critical Edition*, 68.

## BLEMISHED PERSONS IN THE TEMPLE SCROLL

- 3 [ויהי] עריהמה טהורות וש[כנתי שמי בתוכ]מה לעולם והעיר  
 4 אשר אקדיש לשכין שמי ומקד[שי בתוכ]ה תהיה קודש וטהורה  
 5 מכול דבר לכול טמאה אשר יטמאו בה כול אשר בתוכה יהיה  
 6 טהור וכול אשר יבוא לה יהיה טהר

“(3) [and] their cities [will b]e pure and [my name shall] dw[ell in] their [midst] for ever. And the city (4) which I will sanctify to make dwell my name and [my] temp[le within it] shall be holy and shall be clean (5) from any case of whatever impurity with which they could be defiled. Everything that there is in it shall be (6) pure and everything that goes into it shall be pure (...)”

Evidence from 4QMMT supports the idea the term עיר in the phrase must be understood in the broadest sense. Sidnie White Crawford showed that although the phrase עיר המקדש does not occur in this document, 4QMMT contains parallel vocabulary.<sup>72</sup> From 4QMMT B 29-30 it becomes apparent, that the document clearly distinguishes between the terms מקדש on the one hand, and מחנה, “camp” on the other. The text, which belongs to a passage on the proper place for slaughter, is as follows:<sup>73</sup>

- 29 ואנחנו חושבים שהמקדש] משכן אוהל מועד הוא וי[רושלי]ם]  
 30 מחנה היא וחוצה למחנה] הוא חוצה לירושלים ]

“(29) And we are of the opinion that the sanctuary [is the tent of meeting and Je]rusale[m] (30) is the camp, and outside the camp [is outside Jerusalem...]”

4QMMT clearly differentiates between the sanctuary and the camp, the latter that is identified as the entire city of Jerusalem. It is possible that, by analogy, the *Temple Scroll* understands the term עיר in the same way as 4MMT understands the term מחנה and that both texts use the term מקדש in the same way. Understood in this way, the term עיר in the *Temple Scroll* would also refer to the entire city of Jerusalem, though this city is not specifically mentioned in the document.

<sup>72</sup> Sidnie White Crawford, “The Meaning of the Phrase עיר המקדש in the Temple Scroll,” *DSD* 8.3 (2001), 248.

<sup>73</sup> For the text and translation of the composite text of 4QMMT B 29-33 see: DJD 10, 144.



Although the above listed arguments seem convincing, the literally interpretation of the phrase as “a city, inside of which is a sanctuary” causes some difficulties when applied to the laws pertained in the *Temple Scroll*. 11QT<sup>a</sup> 45:11-12 forbids sexual intercourse inside the עיר המקדש, apparently because seminal emission leads to ritual impurity. Anyone who is impure as a result of sexual intercourse is banned from the עיר המקדש for three days. Yet, it is hard to imagine how a couple could have a normal family life in the city of Jerusalem when sexual intercourse is prohibited or when a person is banned from the city for three days after having sexual intercourse.

Baruch Levine takes a different position with respect to the interpretation of the phrase עיר המקדש.<sup>74</sup> According to Levine, the words only apply to the Temple complex. He points at 2 Chron 8:11 and 2 Kgs 10:25 where the term עיר can mean “precinct” or “quarter of the city.” Levine is supported in his position by Lawrence Schiffman, who is also of the opinion that the phrase עיר המקדש refers to the *temenos* itself, the Temple Mount.<sup>75</sup> Interestingly, L. Ginzberg, already in 1922, came to the same conclusion in his commentary on the Damascus Document. The phrase עיר המקדש also occurs in this documents and Ginzberg was of the opinion that in the Damascus Document the word המקדש referred to the temple in Jerusalem and that as a consequence the phrase עיר המקדש had to be interpreted as Jerusalem. Yet, he did not believe that עיר המקדש meant to describe the entire city of Jerusalem. In his opinion, the phrase pointed to a specific area within Jerusalem, namely the Temple Mount.<sup>76</sup>

The convincing arguments offered by Levine and Schiffman make it very hard to decide which interpretation of the phrase is to be preferred. A solution for the impasse is offered by Sidnie White Crawford.<sup>77</sup> White Crawford agrees with Yadin and Milgrom that the phrase עיר המקדש refers to the entire city of Jerusalem, and is not restricted to a specific area of the sanctuary. Yet, she also adopts the observation made by Rabin in his commentary on the Damascus Document, that the purity regulations

<sup>74</sup> Baruch A. Levine, “The Temple Scroll: Aspects of Its Historical Provenance and Literary Character,” *BASOR* 232 (1978), 14-15.

<sup>75</sup> Schiffman, “Exclusion from the Sanctuary, 313 and Idem, “*Ir Ha-Miqdash* and its meaning in the Temple Scroll and other Qumran texts,” in: A. Houtman, M.J.H.M. Poorthuis, and J. Schwartz (eds.), *Sanctity of time and space in tradition and modernity* (Jewish and Christian Perspectives Series 1; Brill: Leiden [etc.], 1998), 95-109.

<sup>76</sup> L. Ginzberg, *Eine unbekannte jüdische Sekte* (rev. And updated translation *An Unknown Jewish Sect*; New York: Jewish Theological Seminary, 1976), 73-74.

<sup>77</sup> White Crawford, “The Meaning of the Phrase עיר המקדש, 242-254.

regarding the city of the sanctuary only apply to pilgrims.<sup>78</sup> The interpretation of the city of the sanctuary as a pilgrimage city with special status over other cities solves the problem of the prohibition of having sexual intercourse inside the city. “Those couples on pilgrimage to the holy city would be expected to refrain from sexual intercourse while there and beforehand, while priests would likewise refrain during their period of service.”<sup>79</sup>

White Crawford’s conclusions are very important for the interpretation of the purity regulations listed in 11QT<sup>a</sup> 45-46. The fact that עיר המקדש is understood as a pilgrimage city limits the applications of the rulings to pilgrims only. Consequently, the ruling that blind persons may not enter the city means that blind persons were not allowed to go on pilgrimage.

### 6.3 Social Implications for the Blind in 11QT<sup>a</sup> 45:12-14

Several elements in the passage on the banning of blind persons from the temple city indicate that the *Temple Scroll*’s position towards the blind was stricter than other Qumran writings. The *Temple Scroll* is the only Qumran document that excludes blind persons because of their uncleanness. No other Qumran scroll explicitly states the uncleanness of blind or deformed persons in this way. The preceding paragraph already highlighted the question of whether the blind persons mentioned in 11QT<sup>a</sup> 45:12-14 are to be understood as an example of persons with other blemishes as well. A second point that needs to be addressed in more detail is the question over the identity of the blind. The passage itself does not clearly state whether the excluded blind persons are only priests, or whether they are also common Israelites. This paragraph discusses both issues. The identification of the possible source texts for the passage on the banning of blind persons appears to be of help in this endeavor.

#### 6.3.1 The Identity of the Blind

The ruling forbidding blind persons to enter the city of the temple is listed between a ban for men who had an emission of semen during sexual

<sup>78</sup> C. Rabin, *The Zadokite Documents* (Oxford: Clarendon Press, 1958), 59; White Crawford, “The Meaning of the Phrase עיר המקדש,” 245.

<sup>79</sup> White Crawford, “The Meaning of the Phrase עיר המקדש,” 249. See also p. 251.

intercourse (11QT<sup>a</sup> 45 11-12) and a ban for persons who have a discharge (11QT<sup>a</sup> 45:15-17). In all three cases the identity of the banned persons is not specified. It is possible to argue that the ruling addresses priests only. Yet, since it is a priestly task to safeguard the purity and sanctity of the temple, priests may be equally concerned with banning impure laypeople from the temple. According to Yadin, the ban on blind persons entering the city is based on Lev 21:18-20 where it is applied exclusively to priests. From here, the ban was expanded to all Israel in the entire Temple City.<sup>80</sup> According to Maier, this observation is questionable, since the saying *עור ופסח לא יבוא אל-הבית*, “the blind and lame shall not enter the house” in 2 Sam 5:8 could point in a different direction.<sup>81</sup> Unfortunately, Maier does not explain on what point exactly he disagrees with Yadin. It is possible that he thinks that the ruling in the *Temple Scroll* not only has the book of Leviticus as a source text, but also in older texts such as 2 Samuel. He could, however, also mean that he doubts Yadin’s thesis that the ruling does not point to priests only.

From the saying in 2 Sam 5:8b itself cannot be derived whether the saying applies to priests or common Israelites, although Olyan made a strong case for the identification of the blind and lame as pilgrims.<sup>82</sup> Analysis of the phrase *עיר המקדש* by White Crawford pointed in the same direction. According to her, the purity regulations listed in 11QT<sup>a</sup> 45 apply to common Israelites on pilgrimage. If Schiffman’s interpretation of 11QT<sup>a</sup> 35:2-9 is correct, the *Temple Scroll* contains two separated passages dealing with physical deformities. The first passage is directed at the priests, and the second passage is addressed to laypeople.

### 6.3.2 Biblical Influences

#### 6.3.2.1 Lev 21:16-24

Many scholars refer to the relationship between 11QT<sup>a</sup> 45:12-14 and Leviticus 21:16-24, although the treatment of persons with a physical blemish differs remarkably in both texts. There are more examples of conflicting ideas or laws between the *Temple Scroll* and the biblical writings. According to Yadin, the problem of conflicting laws is solved by the

<sup>80</sup> Yadin, *The Temple Scroll* II, 289-90.

<sup>81</sup> Maier, *Die Tempelrolle*, 115-116.

<sup>82</sup> Saul M. Olyan, “‘Anyone Blind or Lame Shall Not Enter the House’: on the Interpretation of Second Samuel 5:8b,” *CBQ* (1998), 218-27; Idem, “Exegetical Dimensions,” 40-43.48.

exegetical principle of harmonization.<sup>83</sup> However, the principle of harmonization is in many cases a matter of unification, “the fusion of the various laws on a single subject into one law.”<sup>84</sup> These laws do not contradict each other, but they are either the same laws or additional laws. Only in three instances true harmonization is needed. This is the case when the *Temple Scroll* discusses the covering of blood in 11QT<sup>a</sup> 52:11-12, the war spoil in 11QT<sup>a</sup> 58:13-14, and the “ravaged virgin” in 11QT<sup>a</sup> 66:8-11.<sup>85</sup> Milgrom adds to these two exegetical principles a third principle that he calls “equalization” or “homogenization.” This principle extends a law that applies to specific objects, animals, or people to other members of the same species.<sup>86</sup> An example of homogenization that is related to people can be found in 11QT<sup>a</sup> 45:12-14. This text alludes to Lev 21:17-23 where priests with blemishes are excluded from officiating in the temple. In 11QT<sup>a</sup> 45:12-14 the law is extended to a ban to enter the temple city that applies to all blind Israelites.<sup>87</sup> Without referring to a specific exegetical principle, Yadin states that the ruling in *Temple Scroll* that excludes blind persons is a classic example of how the author of the text placed rulings known from the biblical writings into a broader context. By stating this, he probably intends to say the same as Milgrom does when he speaks about the principle of “equalization” or “homogenization.” Yadin is of the opinion that the author of the *Temple Scroll* based his ban on Leviticus 21:18-20. This ruling applied only to priests in the context of performing the sacrificial ritual. The motivation given in Leviticus to disqualify priests from officiating is that those threaten to profane the sanctums of the Lord. Although it cannot be stated with certainty how these sanctums must be identified, it is reasonable to assume that they can be regarded as holy items in the temple. If the author of the *Temple Scroll* used Leviticus 21 as a source to compose his text, he interpreted the word קדשי in Lev 21: in a spatial sense. According to him,

<sup>83</sup> Yadin, *The Temple Scroll* I, 74-77.

<sup>84</sup> Jacob Milgrom, “The Qumran Cult: Its Exegetical Principles,” in: George J. Brooke (ed.), *Temple Scroll Studies. Papers Presented at the International Symposium on the Temple Scroll. Manchester, December 1987* (JSPSup 7; Sheffield: Sheffield Academic Press, 1989), 171.

<sup>85</sup> In the case of 11QT<sup>a</sup> 52:11-12 the two conflicting biblical accounts are Lev 17:13 and Deut 12:23-24, in 11QT<sup>a</sup> 58:13-14 Num 31:27-28 and 1 Sam 30:24-25 are contradictory, and in 11QT<sup>a</sup> 66:8-11 the author of the *Temple Scroll* harmonizes Exod. 22:15-16 and Deut 22:28-29. See Milgrom, “The Qumran Cult,” 171; cf. Yadin, *The Temple Scroll* I, 360-362, 368-71.

<sup>86</sup> Milgrom, “The Qumran Cult,” 171.

<sup>87</sup> Milgrom, “The Qumran Cult,” 171.

blemished priests threatened to desecrate holy space within the sanctuary. In the *Temple Scroll* the narrow context of Leviticus 21, where the ruling only applies to blemished priests while performing the sacrificial ritual, is enlarged and the ban now applies to all Israel in the entire Temple city, not only the sanctuary itself. “The Temple Scroll in 45.12-14 forbids the blind, but it appears that there the problem relates to “blemishes.” The Temple Scroll has appropriated the rules for priests regarding disqualification from temple service (Leviticus 21) and has applied them to Israelites as well.”<sup>88</sup>

A parallel with Lev 21 can also be found in the remark that the blind may not pollute the city in which YHWH dwells. Although Leviticus 21 clearly avoids the polluting aspects and speaks of “profanation” it is not unlikely that the author of the *Temple Scroll* sharpened this proclamation. This is not unlikely, since he already extended the ban from priests to common Israelites and from applying in the sanctuary only, to the whole city of the sanctuary. Maybe the author of the *Temple Scroll* was of the opinion that the blind had not only the possibility to profane, but to pollute as well.

#### 6.3.2.2 2 Sam 5:8b

The influence of 2 Sam 5:8b on 11QT<sup>a</sup> 45:12-14 was noted by Schiffman, but he regards Lev 21:16-23 as the primary basis for the text.<sup>89</sup>

According to Olyan, 11QT<sup>a</sup> 45:12-14 shows influence of 2 Sam 5:8b, Isa 52:1, and Num 5:3b read in tandem. This is contrary to the opinion of Yadin, who regards these lines as an expansion of the Lev 21:18-20.<sup>90</sup> Yadin also mentions 2 Sam 5:8b, as an example of how the injunction developed. Thus, that the LXX has added “of the Lord” after “house” and that the Targum rendered the phrase that the lame and blind are sinful and guilty (על כן ימרון חטאיא יעלון לביתא). It is, however, not clear why Yadin

<sup>88</sup> Schiffman, “Exclusion from the Sanctuary,” 311-312; Idem, “The Temple Scroll and the Systems of Jewish Law of the Second Temple Period,” in: George J. Brooke (ed.), *Temple Scroll Studies. Papers Presented at the International Symposium on the Temple Scroll. Manchester, December 1987* (JSPSup 7; Sheffield: Sheffield Academic Press, 1989), 249; Idem, “Purity and Perfection: Exclusion from the Council of the Community in the *Serekh Ha-‘Edah*,” in: J. Amitai (ed.), *Biblical Archaeology Today* (Jerusalem: Israel Exploration Society, 1985), 377-381.

<sup>89</sup> Schiffman, “Exclusion from the Sanctuary,” 310.

<sup>90</sup> Yadin, *The Temple Scroll* I, 290.

cites 2 Sam 5:8b, since he does not explain what he regards as a connection between 2 Sam 5:8b and the *Temple Scroll*.<sup>91</sup>

Olyan's observation can only be maintained if he is correct in identifying *הבית* in 2 Sam 5:8b as "the sanctuary."<sup>92</sup> He has shown that the blind and lame may have been excluded from the sanctuary for two reasons. Firstly, their exclusion may be caused by the idea that blind and lame persons are unclean and therefore threaten the holiness of the sanctuary. A second possible ground for the exclusion of the blind and lame could be that, although the blind and lame are not unclean, they have the power to profane the holiness of the temple.<sup>93</sup> If 2 Sam 5:8b is recast in the *Temple Scroll* it has undergone four changes.<sup>94</sup> Firstly, the "house" or temple has been replaced by "the city." This may be explained by the notion reflected in Isa 52:1 where the holiness of the sanctuary is extended to the whole city of Jerusalem.<sup>95</sup> Secondly, there is no mention of the lame in the *Temple Scroll*. It is unclear why they are left out. A third change is that the law pertains to all Israelites and not exclusively to priests and that the reason for the exclusion is that they are regarded as unclean. From 2 Sam 5:8b it could be inferred that the text speaks of common Israelites that are regarded as unclean, but this is nowhere explicitly stated. The last change the text of 2 Sam 5:8b has undergone in the *Temple Scroll* is that the idiom *לֹא יָבוֹא אֵל* is not exactly reproduced, for the 11QT<sup>a</sup> 45:13 uses the preposition *ל* instead of *אֵל*.

It is a possibility that the *Temple Scroll* explains some of the uncertainties in 2 Sam 5:8b. Firstly, 2 Sam 5:8b does not explain whether the saying applies to priests or to every Israelite. In the *Temple Scroll* it is clear that the ban affects every common Israelite. Secondly, it is not immediately clear in 2 Sam 5:8b why the blind and lame may not enter into the sanctuary. This cannot be doubted in the *Temple Scroll*. The blind are excluded because they are regarded as unclean. These two things can be implied from 2 Sam 5:8b, but the text does not state it unambiguously.<sup>96</sup>

<sup>91</sup> Yadin, *The Temple Scroll* I, 290.

<sup>92</sup> See Olyan, "Anyone Blind or Lame," 218-27 for an extensive treatment of the injunction.

<sup>93</sup> Olyan, "Exegetical Dimensions," 41.

<sup>94</sup> Olyan, "Exegetical Dimensions," 41-42.

<sup>95</sup> See Yadin, *The Temple Scroll* I, 291.

<sup>96</sup> Olyan, "Exegetical Dimensions," 48.

6.3.2.3 *Lev 15:31*

Lev 15:31 expresses the concern that discharging persons and others could defile the tabernacle of YHWH. The text reads: **והזרתם את־בני־ישראל** **מטמאתם ולא ימתו בטמאתם בטמאם את־משכני אשר בתוכם**, “Thus you shall keep the people of Israel separate from their uncleanness, lest they die in their uncleanness by defiling my tabernacle that is in their midst.”

6.3.2.4 *Num 5:3b/ Isa 52:1*

Num 5:3b also contains a ban on discharging persons: **ולא יטמאו את־מחניהם** **אשר אני שכן בתוכם**, “they shall not pollute their camps in the midst of which I dwell.” The persons excluded from the camp in Num 5:1-4 are persons with skin disease (**צרוע**), persons with a sexual flow (**זב**) and persons who are unclean because they came into contact with a dead body (**טמא לנפש**).

Because this phrase occurs nowhere else in the Hebrew Bible its influence in shaping 11QT<sup>a</sup> 45:13-14 (**ולא יטמאו את העיר אשר אני שוכן** (**בתוכה**)) is evident.<sup>97</sup> Num 5:3b has undergone one important alteration: the subject of this prohibition in the *Temple Scroll* is now the blind. This is very important, because there is no explicit biblical evidence that blind persons were regarded as unclean or having the power to pollute.<sup>98</sup> It is stated that blind persons have the power to profane (**חלל**) the sanctuary because blindness is regarded as a **מום**, “blemish.” Yet, Olyan, sees 2 Sam 5:8b as a possible example and Mal 1:7-8 as a certain reference to the idea that blindness is regarded as a threat to purity.<sup>99</sup> Although in the case of 2 Sam 5:8b it cannot be stated with certainty that the text indeed regards blind persons as impure, it is not impossible to interpret the text in this way. 2 Sam 5:8b does not explain why blind and lame persons may not enter into the temple, thus the author of this text may have regarded them as unclean without explicitly stating so. But the text may also exclude the blind and lame for the same reason as Leviticus 21:18-20, namely, that they profane the temple. Because it is likely that the *Temple Scroll* used 2 Sam 5:8b as a source text, the former interpretation seems to have been reflected in 11QT<sup>a</sup> 45:12-14. It is evident, that the blind are cast as polluters in this text. The

<sup>97</sup> See Yadin, *The Temple Scroll* I, 290 and idem, *The Temple Scroll* II, 193; Olyan, “Exegetical Dimensions,” 42.

<sup>98</sup> Olyan, “Exegetical Dimensions,” 42.

<sup>99</sup> Olyan, “Exegetical Dimensions,” 43.

only biblical text from which can be drawn that blindness is seen as polluting is Mal 1:7-8. This text describes blemished animals in Mal 1:7 as *לֶחֶם מִגָּאֵל*, “polluted food.”<sup>100</sup> It is uncertain whether this text had any influence on the ruling on blind persons in the *Temple Scroll*. The most likely conclusion is that the idea that blind persons are unclean is based upon a reading of the phrase in 2 Sam 5:8b.<sup>101</sup> Isa 52:1 bans the entry of the unclean and the uncircumcised into Jerusalem.

### 6.3.3 Social Implications for the Blind

The placement of the law on blind persons forbidden to enter the temple amongst other groups of people that are polluting, gives strong indications that the *Temple Scroll* regarded these people as unclean. Thus it seems as though the *Temple Scroll* does not take their inability to distinguish between clean and unclean into consideration, contrary to 4QMMT, where blind and deaf persons are not regarded as intrinsically unclean.<sup>102</sup>

The overall concern of the *Temple Scroll* is the sanctity and the purity of the temple. Thus, much attention is paid to maintaining the purity and avoiding impurity and restoring purity. Death is considered the worst impurity and the greatest source of defilement. This can be drawn from the lengthy sections concerned with death. Rulings considering death and purity regulations are more detailed than in the biblical writings. According to Felix Just, the reason why blind persons are singled out as one category from other kinds of disabilities is connected with the fear of attracting impurity and with those related to death in particular.<sup>103</sup> The main reason why blind persons were disqualified in 4QMMT was that they could inadvertently attract impurity. Their exclusion in 4QMMT was based on the practical consideration that they could contract and transmit impurities without being aware of it. The author of the *Temple Scroll* could have had the same considerations, but, according to Just, he probably also connected blindness with darkness and death, as can be gathered from Qumranic literature.<sup>104</sup>

<sup>100</sup> Olyan (“Exegetical Dimensions,” 43, n. 17) remarks that the verb *גָּאֵל* is a synonym of the verb *טָמֵא* and points at examples in Lam 4:14-15; Neh 13:29-30, and Dan 1:8.

<sup>101</sup> Olyan, “Exegetical Dimensions,” 43.

<sup>102</sup> Olyan, “Exegetical Dimensions,” 40, n. 6.

<sup>103</sup> Just, *From Tobit to Bartimaeus*, 181.

<sup>104</sup> Just, *From Tobit to Bartimaeus*, 181.



It is, however, more likely that the fear of blind persons was greater than fear of persons with other disabilities for practical reasons. Because blind persons could not see what they were touching, they would have much more difficulty in avoiding the unclean. Outside their own homes, they could hardly avoid contacting all sorts of impurity. Moreover, contact with unclean objects or people would probably occur while they were not always aware of it and being unaware of the impurity they contracted they would not follow the right purification procedures (see also Num 19:20 on this matter). The worst impurities they could get were death related impurities. "In contrast to those who could not see, persons with other impairments, even permanent ones like paralysis or deafness, could still see and thus could at least endeavor to avoid touching sources of impurity, just like healthy persons with no impairments could. Hence, anyone who is as concerned as this scroll's author about the avoidance of ritual impurity, especially due to contact with death, would probably wish to avoid having any contact whatsoever with blind persons and would tend to ostracize them as much as possible, at least from those aspects of life for which one needs to keep oneself free from any ritual defilement."<sup>105</sup>

Contrary to Leviticus 21 and other Qumran writings that have regulations for the physically disabled, the *Temple Scroll* does not make provisions for blind persons. There are no special places where the blind are quarantined, not in the temple city, or in other cities.<sup>106</sup> This is indeed the case for bearers of major impurities such as gonorrheics, parturients, and menstruants. They are quarantined within ordinary cities (11QT<sup>a</sup> 48:15-17).

There are three main indications that lead to the conclusion that the author of the *Temple Scroll* regarded blind persons as unclean.<sup>107</sup> Firstly, the ban on blind persons entering the sanctuary is listed amongst other groups of unambiguously unclean persons that are also excluded from the temple or the temple city. Secondly, the parallel with Num 5:3b shows the *Temple Scroll* changed the subject of Num 5:1-4 from potentially polluting persons into blind persons. Thus, the allusion to Num 5:1-4 shows that for the author of the *Temple Scroll* blind persons were equally polluting as persons with skin disease or a sexual flow, or persons who had come into contact with a corpse. A third indication that the *Temple Scroll* excludes blind persons

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<sup>105</sup> Just, *From Tobit to Bartimaeus*, 181, n. 62.

<sup>106</sup> See also Schiffman, *Eschatological Community*, 48, n. 63.

<sup>107</sup> Olyan, "Exegetical Dimensions," 42.

because of their impurity can be drawn from the use of the *pi'el* נמט with the blind as a subject.

Although there is very strong evidence in support of the observation that the author of the *Temple Scroll* regarded blind persons as unclean, there are also indications that this should not be the case. The possibility of two separate passages on physical deformities in the *Temple Scroll* allows for an important observation. Whereas the pilgrims are excluded from the holy city altogether, blemished priests are apparently only excluded from the inner court. This means that the blindness of pilgrims was somehow regarded as more threatening to the holy city than the blemishes of priests, who were excluded from the inner court, but not from the entire city. This seems very odd, since the blind are clearly treated as unclean and a blind priest should be equally regarded unclean. Yadin and Schiffman are of the opinion that 11QT<sup>a</sup> 35:5-7, mentions the exclusion of blemished priests *and* unclean priests, which seems to imply that a blemished priest is not unclean. Both groups, however, possess the power to defile (ללל) the sanctuary when they enter the inner court (11QT<sup>a</sup> 35:7). The same is said of a person who is not a priest or who is not properly dressed. These two latter categories are certainly not unclean. The reason why they possess the power to defile the sanctuary is that they are not qualified to enter the inner court because they are either not a priest, or improperly dressed. Thus, someone's power to defile the sanctuary does not automatically imply that this person is unclean.

If the analysis above is correct, the same may be said of blind persons excluded from the holy city in 11QT<sup>a</sup> 45:12-14. 11QT<sup>a</sup> 45:13 clearly states that blind persons may not defile the city in which YHWH dwells. It is tempting to say that the blind are excluded because of their uncleanness. However, evidence from 11QT<sup>a</sup> 35:2-9 shows, that a person could also defile when he is not qualified to enter for other reasons than uncleanness. Thus, the possibility must be allowed that blind persons are excluded in 11QT<sup>a</sup> 45:12-14 because the author of the *Temple Scroll* regarded blind persons unfit for pilgrimage for some reason, not because he regarded them as unclean.

## 6.4 Conclusion

The clearest reference to disability in the *Temple Scroll* can be found in 11QT<sup>a</sup> 45:12-14. This passage excludes blind persons from the holy city because they may defile the city in which YHWH dwells. It is unclear why 11QT<sup>a</sup> 45 mentions only blindness as an example of deformity. Evidence from a second copy of the *Temple Scroll* (11QT<sup>b</sup> 12 frag. 21 i) could not shed new light on the problem.

The *Temple Scroll* excludes blind persons and persons suffering from all sorts of ritual impurities from the entire city. This may seem problematic, because a normal social life in a real city becomes impossible if every kind of impurity is not allowed. The solution for this problem can be found if one advocates the idea that the rulings in the *Temple Scroll* only apply to pilgrims. Avoiding impurities during pilgrimage is feasible, avoiding them in normal circumstances is not.

It seems as if the *Temple Scroll* contains a stricter position towards the blind than is reflected in any other scroll. The ruling that bans blind persons from the holy city is listed between regulations also banning other categories of unclean persons from the sanctuary or the holy city. 11QT<sup>a</sup> 45:13 states that blind persons can defile the city. This strongly indicates that the author of the *Temple Scroll* regarded blind persons as unclean.

Evidence from another passage in the *Temple Scroll* that deals with the exclusion of certain groups of people from the inner court (11QT<sup>a</sup> 35:2-9), however, allows for a more tolerant interpretation. This passage also states that the groups are excluded because they possess the power to defile the sanctuary. To these groups belong priests who are not properly dressed and persons who are not a priest. Perhaps the text also mentions blemished and unclean priests, but since the fragment is so heavily damaged this can only be guessed at. In any case, the fact that a person who is not properly dressed, but who is not unclean, can *defile* the sanctuary indicates that defiling the sanctuary or the city can be done by persons who are not in themselves unclean, but merely unqualified to have access to those precincts. It therefore cannot be solidly proven that the blind pilgrims in 11QT<sup>a</sup> 45:12-14 were excluded because they are regarded as unclean.



This study discussed all Qumran texts that reflect on disability and investigated the impact of disability on social and religious participation. Attitudes toward disability are rarely expressed in the Qumran texts. Five documents relate to the topic: the *Rule of the Congregation* (1QSa), the *Damascus Document* (D), the *War Scroll* (1QM), *MMT*, and the *Temple Scroll* (11QT). The analysis of the five Qumran texts that deal with disability yielded interesting results. On a general level, it was shown that despite the negligence of disability in Qumranic literature, disabled persons were members of the communities behind the texts. In specific situations and for various reasons, a person's disability could be problematic.

The study of disability in the texts from Qumran revealed several themes that contribute to the understanding of the social and religious participation of disabled persons in the communities behind these texts. This made it possible to explore 1) the context and addressees of the exclusion regulations, 2) the rationale for the exclusion, and 3) provisions for disabled persons in the Qumran texts. This last chapter presents the findings of this investigation and analyses these outcomes.

### **7.1 Exclusion of Disabled Persons in the Qumran Texts**

This study demonstrated that all texts agree in the exclusion of disabled persons from certain situations. Yet, the contexts to which the exclusions apply are very diverse and the regulations have different addressees. Moreover, the texts reflect various reasons for the exclusion of disabled

persons. This is the reason why it must be concluded that the Qumran texts do not display one coherent view on disability.

### 7.1.1 Context and Addressees of the Exclusion Regulations

The discussion of disability in Qumran made clear that there was a strong tendency to exclude disabled persons from some situations. This tendency is rooted in biblical literature, as was shown by the examination of Leviticus 21 in Chapter 1. The circumstances and addressees to which the exclusions or disqualifications apply in each text are very different.

Two texts relate disability directly to social and religious participation of disabled persons in the communities behind these texts. In the *Rule of the Congregation* the regulations on disability apply to the community level. Persons with disabilities are excluded from attending an assembly. In a context outside the assembly, these restrictions were not important. The *Damascus Document* also envisages one particular situation from which disabled persons are excluded. Again, the scope of the prescription is the entire community behind the document. The text states that physically and mentally disabled persons may not partake in the celebration of the *Feast of Weeks*. Again, this does not seem to affect the social and religious participation of disabled persons at other community levels. Both texts contain rules that were valid in the present time.

The *War Rule* also addresses the community behind the document, but the rules apply to the eschatological era. The text does not allow disabled persons to join the troops when they leave for their camps for the eschatological war. Although the text has an eschatological context, the attitudes toward disability in the document are reflections of beliefs that circulated in the present time of the community behind the text.

The regulations in the *Temple Scroll* and *MMT* do not directly apply to community life. The regulations in *MMT* must be read in a cultic context. In chapter 5 was demonstrated that the regulations in 4QMMT B 49-54 exclude blind and deaf priests from performing offerings. The *Temple Scroll* contains a law that forbids blind persons for entering the holy city. Chapter 6 made clear that the rules are limited to pilgrims. In everyday life it would be impossible to maintain the strict purity regulations prescribed in 11QT<sup>a</sup> 45:11-17.

### 7.1.2 Rationale for the Exclusion

Just as the contexts and addressees differ in the Qumran texts that exclude or disqualify persons with disabilities, the reason for the exclusions also varies from text to text.

The presence of Holy Angels is the reason why the *Rule of the Congregation*, the *Damascus Document*, and the *War Rule* exclude various categories of people. These texts are all concerned with a person's physical appearance as being contradictory to angelic presence. This explanation also contains a second rationale. In the *War Rule* the presence of holy angels is connected with purity concerns. The *Rule of the Congregation* and the *Damascus Document* demonstrate the idea that being present with the holy angels means that a person is higher in rank than the person who is not allowed to join the angels. As was said, for the *War Rule* the presence of holy angels is the reason to apply stringent purity regulations during the eschatological battle. It was shown in Chapter 4 that not everyone was capable of participating in the battle and that there were two moments when it was decided who could join the battle. The first selection takes place when the warriors plan to leave for the camps. The selection procedures concentrate on physical abilities and practical concerns. This is the reason why women, minors, disabled persons and persons with skin afflictions are not allowed to join the troops in the first place. The holy angels are not mentioned in this stage of the selection, but play an important role in the second selection phase. The main concern during this second selection is purity. It was demonstrated that the camp inhabitants were not required to be in a constant state of ritual purity. Because ritual impurity is easily attracted in daily life, it would be impossible to maintain stringent purity regulations in the daily life of the camps. Yet, purity becomes very important at the moment of the battle. Because warriors are fighting together with the holy angels, they have to be in a state of ritual purity. This is the reason why at the onset of the battle, a man who had not yet purified himself after a seminal emission is excluded from the fight.

The presence of holy angels is not connected to purity concerns in the *Rule of the Congregation* and the *Damascus Document*. Both texts explain the exclusion of disabled persons by referring to the holy angels. It was shown that persons with disabilities are not regarded as unclean. In both texts, the presence of holy angels is contradictory to the presence of disabled persons. This indicates that they were lower in rank than persons who were

allowed to be present. It is important to note, however, that the lower status is not to be misunderstood as being in a state of ritual impurity.

Practical considerations are also a ground for exclusion. The *Damascus Document* (4Q266 f5ii:1-4; 4Q267 f5iii:1-6; 4Q273 f2:1-2) contains a rule that forbids priests with speaking disabilities to read from the Torah. It expresses the concern that a priest who cannot speak properly could err in a capital matter. The rules for blind and deaf priests in *MMT* are also meant to prevent mistakes. They clearly indicate that it is not person's disability and physical appearance that could cause profanation, but the limitations a person's disability could bring about.

The *Temple Scroll* does not refer to angelic presence as the ground for banning blind persons from the city, but it does regard the presence of disabled persons as antithetical to the presence of YHWH. According to the *Temple Scroll* blind persons may defile the city in which YHWH dwells. No other Qumran text adopts such a strict position toward disabled persons as it appears as though the *Temple Scroll* equals blind persons with impure persons. In Chapter 6 it was demonstrated that a more tolerant interpretation is possible. A passage in the *Temple Scroll* that deals with the exclusion of certain groups of persons from the inner court (11QT<sup>a</sup> 35:2-9) also states that the groups are excluded because they possess the power to defile the sanctuary. These categories of people are not unclean, but it is stated that they can *defile* the sanctuary. This indicates that the sanctuary or the city can be defiled by persons who are not in themselves unclean, but merely unqualified to have access to those precincts.

Summing-up, there are two possible grounds for disqualifying disabled persons. First, the idea existed that disabled persons were lower in rank than able-bodied persons. For that reason, they were in some situations not holy enough or simply not qualified to be present. It is sensible to state that these regulations applied to every kind of disability and not only to the ones mentioned in the texts. An important outcome is that it is not possible to prove that any of these texts contained the idea that disabled persons were lower in rank because they were impure. Second, there were practical considerations to exclude persons who suffered from specific kinds of disabilities because the implications of the disability could cause mistakes, which, in turn, could have dangerous consequences.



## 7.2 Provisions for Disabled Persons in the Qumran Texts

The picture of attitudes toward disability in the Qumran texts is to a large degree colored by exclusion and disqualification rules. For that reason it is important to point at the tendency to take care of disabled persons. This study demonstrated that Qumran texts that disqualify disabled persons in some situations also make provisions to help them. Parallel to the rule in Leviticus 21:22 that disabled priests have their share in the priestly food, the *Rule of the Congregation* makes a provision for disabled community members. Those categories of people that may not attend the assembly are allowed to make their case in the council (1QSa 2:9-10). This implies that just as disabled priests in Leviticus 21 were still regarded as priests, the excluded persons in the *Rule of the Congregation* were still regarded as community members. They were not qualified to attend the assembly, but their interests were not forgotten.

The *Damascus Document* excluded disabled persons from the celebration of the *Feast of Weeks*. Yet, CD 14:12b-17a contained a law prescribing financial support for the disabled. This indicates that the community behind the document did not treat its disabled members with disrespect. On the other hand this rule says something about the social position of disabled persons. The very fact that financial care for disabled persons was needed, from it can be drawn that disabled persons lived at an economically lower level than their able-bodied fellow-members.



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## NEDERLANDSE SAMENVATTING

Dit proefschrift beschrijft waar en op welke wijze in de Dode-Zeerollen wordt gesproken over lichamelijke onvolmaaktheid. Daarnaast worden de gevolgen van lichamelijke onvolmaaktheid voor de sociale en religieuze participatie onderzocht. De geschiedenis van de Dode-Zeerollen begint in 1947. Aan het begin van dat jaar vonden bedoeïenen in een grot ten noorden van Qumran, dichtbij de Dode Zee, een aantal kruiken met boekrollen erin. Deze boekrollen bevatten Hebreeuwse teksten en hun ontdekking bleek van zeer groot wetenschappelijk belang. Bedoeïenen en wetenschappers vonden in de jaren die volgden nog meer manuscripten in dezelfde regio. Het gaat hierbij niet alleen om min of meer intacte boekrollen, maar ook om tienduizenden kleine fragmenten. Samen vormden ze ooit een enorme collectie van zo'n 900 documenten.

Sinds de ontdekking van de Dode-Zeerollen hebben wetenschappers zich vooral bezig gehouden met het inventariseren, onderzoeken en vertalen van de talloze tekstfragmenten. Dit heeft een aantal belangrijke inzichten opgeleverd. Ten eerste werd het belang van de Dode-Zeerollen al vrij snel duidelijk: ze bevatten bijbelhandschriften die circa 1000 jaar ouder zijn dan de oudste bijbelhandschriften die er tot die tijd bekend waren. Dit gegeven levert een belangrijke bijdrage aan de discussie over de betrouwbaarheid van de overlevering van de tekst van de Hebreeuwse bijbel. Onderzoek heeft aangetoond, dat de tekst uit de Hebreeuwse bijbel relatief weinig verandering heeft ondergaan in de 1000 jaar die bijbelhandschriften schelen. Ten tweede laten de verschillende soorten teksten die er in Qumran gevonden zijn, zien dat het jodendom in de eerste eeuwen rond het begin van de jaartelling buitengewoon pluriform was. De samenleving bestond uit allerlei religieuze groeperingen die hun eigen religieuze en niet-religieuze teksten produceerden. De Dode-Zeerollen dragen dus bij aan een beter begrip van de Hebreeuwse bijbel en van de joodse maatschappij in die periode. Bovendien werpen ze een licht op de achtergronden van het Nieuwe Testament en het vroege christendom.

Tegenwoordig zijn alle teksten en fragmenten uit Qumran gepubliceerd. Wetenschappers hebben zich diepgaand beziggehouden met algemene vragen over de geschiedenis en ideologie van de groepen die verantwoordelijk waren voor het maken en bewaren van de rollen. Nu is de tijd aangebroken voor gedetailleerder onderzoek over wat kleinere

onderwerpen binnen de Qumranstudies. Het huidige proefschrift dat is gewijd aan het onderwerp lichamelijke onvolmaaktheid in de Dode-Zeerollen sluit zich bij deze trend aan.

De Dode-Zeerollen gaan niet uitvoerig in op het thema lichamelijke onvolmaaktheid. Van alle teksten die er in Qumran zijn gevonden, wordt het onderwerp maar in vijf documenten besproken: De *Regel van de Gemeente* (1QSa), het *Damascus Document* (CD), de *Rol van de Oorlog* (1QM), *Sommige Werken van de Wet* (4QMMT) en de *Tempelrol* (11QT). Ook voor andere teksten uit die periode geldt, dat ze weinig verwijzingen naar lichamelijke onvolmaaktheid bevatten. Het is daarom niet verwonderlijk, dat er weinig wetenschappelijke studies aan dit onderwerp zijn gewijd. Toch is de afwezigheid van verwijzingen naar mensen met een handicap in de bronnen en in latere studies over dit onderwerp enigszins bevreemdend. In de tijd waarin de Dode-Zeerollen zijn ontstaan, moeten mensen vaak geconfronteerd zijn geweest met datgene wat wij tegenwoordig als een lichamelijke handicap of onvolmaaktheid zouden beschouwen. Afgezien van aangeboren afwijkingen, liepen mensen een hoog risico om op een andere manier gehandicapt te worden. Te denken valt aan niet goed genezen botbreuken, de gevolgen van oorlog, ziektes, ondervoeding, ouderdom of complicaties voor moeder en kind tijdens de geboorte. Tegenwoordig zijn er eenvoudige hulpmiddelen of oplossingen om de handicap op te heffen, zoals brillen, gehoorapparaten of operaties. Deze waren in de oudheid echter niet voorhanden. Men moet zich dus realiseren dat een relatief klein ongelukje, zoals een gebroken arm of been, al een permanente lichamelijke handicap of onvolmaaktheid tot gevolg kon hebben.

De hoofdvraag van dit proefschrift luidt: *Waar en hoe komen in de Dode-Zeerollen houdingen ten opzichte van mensen met een lichamenlijk gebrek tot uitdrukking en wat heeft dit voor gevolgen voor de sociale en religieuze participatie van gehandicapte mensen in de gemeenschappen achter deze teksten?* Het proefschrift vult een lacune in de Qumranwetenschap op, omdat het het eerste uitgebreide overzicht biedt van lichamelijke onvolmaaktheid in de literatuur uit Qumran. Hoewel er enig onderzoek naar het onderwerp is verricht, bestaat er geen diepteanalyse van verwijzingen naar lichamelijke onvolmaaktheid in de Dode-Zeerollen.

Om de hoofdvraag te beantwoorden, bespreekt het proefschrift ieder Qumrandocument waarin over lichamelijke onvolmaaktheid wordt gesproken in een apart hoofdstuk. Omdat de ideeën over lichamelijke onvolmaaktheid in de Dode-Zeerollen zijn beïnvloed door de manier waarop

het onderwerp in Leviticus 21:16-23 naar voren komt, begint het proefschrift in Hoofdstuk 1 met de bespreking van deze bijbeltekst. De interpretatie van Leviticus 21 :16-23 laat zien, dat iedere priester die een lichamelijke onvolmaaktheid had niet mocht deelnemen aan het offerritueel. De tekst verklaart niet wat de precieze reden is van het buitensluiten van gehandicapte priesters. In het hoofdstuk is echter aangetoond, dat een gehandicapte priester niet als onrein of onheilig werd beschouwd. Dit kan worden geconcludeerd uit het feit dat hij wel mocht eten van het heilige voedsel in de heilige ruimtes van de tempel. Dit voorrecht onderscheidde een gehandicapte priester van zijn collega's die de begrafenis- of huwelijksvoorschriften hadden overtreden. Zij waren daardoor niet geschikt of geoorloofd om de priesterlijke taken uit te voeren. Bovendien mochten ze het voedsel dat alleen voor priesters bestemd was niet tot zich te nemen. Het feit dat een gehandicapte priester wel van het priesterlijke voedsel in de heilige ruimtes mocht eten, lijkt tegengesteld te zijn aan de eis dat een gehandicapte priester niet mocht offeren. Deze laatste regel lijkt namelijk een verbod op het binnengaan van heilige ruimtes te veronderstellen. De spanning wordt opgelost door het voorstel dat lichamelijk onvolmaakte priesters minder heilig waren dan hun lichamelijk volmaakte collega's. Ze waren daarom niet heilig genoeg om te mogen offeren. De lichamelijke onvolmaaktheid van de priester was echter alleen een bedreiging voor de heiligheid tijdens het uitvoeren van het offerritueel. Op alle andere gebieden van het priesterlijke leven was de gehandicapte priester gelijk aan zijn lichamelijk volmaakte en ritueel reine collega's.

In Hoofdstuk 2 gaat het over de uitsluiting van mensen met een handicap zoals beschreven in de *Regel van de Gemeente* (1QSa 1:25-2:11). Deze tekst heeft een dualistisch karakter. Het kerndeel van de tekst bevat regels die naar alle waarschijnlijkheid betrekking hebben op het leven van de leden van de gemeenschap in Qumran in het heden. Het begin en het einde van het document voorzien de *Regel van de Gemeente* echter van een eschatologisch kader. In de huidige vorm van het document kunnen de regels in het middendeel dus ook als messiaans worden geïnterpreteerd. Dit proefschrift concentreert zich op de geldigheid van de regels in 1QSa in het heden. Tegelijkertijd staat het op het standpunt dat de leden van de gemeenschap in Qumran geloofden dat ze al aan het einde der tijden leefden. Ze dachten dat de Messias weldra zou komen. De voorschriften over het bijeenroepen van een vergadering in 1QSa 1:25-2:11 werden toegepast op vergaderingen in het heden. Het voorschrift heeft een interessant kenmerk.

Sommige mensen worden namelijk expliciet uitgenodigd om de vergadering bij te wonen, terwijl anderen, zoals mensen met een lichamelijke onvolmaaktheid, absoluut niet aanwezig mogen zijn. De buitengesloten mensen worden echter nog steeds als leden van de gemeenschap beschouwd. Hoewel ze niet bij de vergadering aanwezig mogen zijn, bestaat voor hen de mogelijkheid om hun belangen te laten behartigen door een derde. Deze regeling laat de invloed van Leviticus 21 duidelijk zien, omdat het voorschrift dat gehandicapte priesters van het priesterlijk voedsel mogen eten ook een speciale regeling is. De reden voor het buitensluiten van allerlei groepen uit de vergadering is de aanwezigheid van heilige engelen. Waarschijnlijk heeft Leviticus 21 hier ook weer als bron gediend. Het woord *מִקְדָּשׁ*, “mijn heilige zaken” of “mijn heiligdommen” in Leviticus is door de auteur van 1QSa mogelijk geïnterpreteerd als *מִקְדָּשׁ* “mijn geheiligden.” Dit idee wordt gesteund door Jes 13:3, waarin de term *מִקְדָּשׁ* voorkomt en het verwijst naar het engelenleger van JHWH. Voor de auteur van 1QSa is de reden voor het weren van mensen met een lichamelijke onvolmaaktheid uit een vergadering of van het uitvoeren van offers hetzelfde: er zijn heilige engelen aanwezig en zij mogen niet worden ontheiligd.

Hoofdstuk 3 onderzoekt de manier waarop lichamelijke onvolmaaktheid wordt besproken in het *Damascus Document*. Het *Damascus Document* bevat drie passages die gaan over lichamelijke onvolmaaktheid. De langste van de drie (CD 15:15-17; 4Q266 f8i:7-9; 4Q270 f6ii:8-9) stelt dat mensen met een lichamelijke onvolmaaktheid niet in de *עדה* mogen komen. De regel zelf maakt niet duidelijk wat er precies met dit voorschrift wordt bedoeld. Veel wetenschappers zijn van mening dat het verbod slaat op het toetreden tot de gemeenschap. Het proefschrift toont echter aan, dat het woord *עדה* in het *Damascus Document* niet exclusief wordt gebruikt voor het beschrijven van de eigen groep. De betekenis moet steeds worden afgeleid uit de context. In de betreffende passage is de context die van het vieren van het Wekenfeest. Tijdens het Wekenfeest werden nieuwe leden geïnstalleerd en kwamen de leden van de gemeenschap bijeen om de wet van Mozes door middel van een ritueel te vernieuwen. Mensen met een lichamelijke onvolmaaktheid mochten hierbij niet aanwezig zijn, omdat men dacht dat er heilige engelen in de gemeente aanwezig waren. In het alledaagse leven in de gemeenschap was iemands lichamelijke toestand niet belangrijk, maar blijkbaar waren mensen met een lichamelijke onvolmaaktheid niet heilig genoeg om met heilige engelen in contact te komen. Een andere passage in het *Damascus Document* (4Q266 f5ii:1-4;



4Q267 f5iii:1-6; 4Q273 f2:1-2). heeft ook een uitsluitend karakter. Het verbiedt priesters met een spraakgebrek om uit de thora te lezen. Dit voorschrift is niet zozeer theologisch, maar veelmeer praktisch van aard: een priester met een spraakgebrek zou iets belangrijks wel eens verkeerd kunnen voorlezen. Er zijn echter geen aanwijzingen in de tekst dat een priester met een spraakgebrek geen andere taken mocht uitvoeren. De derde passage in het *Damascus Document* over lichamelijke onvolmaaktheid laat zien dat men zich bekommerde om de armen en behoeftigen. Mensen met een lichamelijke onvolmaaktheid kregen financiële hulp. Uit het gegeven dat er voor deze mensen gezorgd moest worden, kan worden afgeleid dat ze het blijkbaar moeilijker hadden dan mensen die niet gehandicapt waren.

Hoofdstuk 4 bestudeert de voorschriften aangaande de selectie van strijders in de eschatologische oorlog in de *Rol van de Oorlog* (1QM 7:3b-8; 4Q491 f1-3:6-10). Mensen met een lichamelijke onvolmaaktheid zijn uitgesloten van deelname aan de oorlog. Hoofdstuk 4 richt zich met name op een voorschrift betreffende lichamelijke onvolmaaktheid in de langste versie van de *Rol van de Oorlog* (1QM). Er bestaat echter een vergelijkbaar voorschrift in één van de Rol van de Oorlog-achtige documenten uit Grot 4 (4Q491 f1-3:6-10). Dit document is erg beschadigd en de bewaard gebleven gedeelten van deze tekst bevatten geen verwijzingen naar lichamelijke onvolmaaktheid. Dit proefschrift acht het waarschijnlijk dat 4Q491 oorspronkelijk wel verwees naar een verbod op deelname aan de oorlog voor bepaalde categorieën. Het is echter twijfelachtig of het voorschrift ook mensen met een lichamelijke onvolmaaktheid betrof. 4Q491 is geen exacte kopie van 1QM, maar een tekstgetuige uit een vergelijkbare traditie. Beide teksten sluiten bepaalde categorieën mensen uit van deelname aan de eschatologische oorlog. Het belangrijkste verschil tussen de twee teksten betreft de plaats van het voorschrift over reiniging na een zaadlozing en de verwijzing naar de aanwezigheid van heilige engelen. De plaats van deze twee elementen heeft belangrijke gevolgen voor de interpretatie van de gehele passage. Uit de structuur van 4Q491 f1-3:6-10 kan worden afgeleid dat bepaalde categorieën mensen, net als in 1QM, niet in de kampen mochten verblijven. De verwijzing naar de man die zich moet reinigen na een zaadlozing en de aanwezigheid van heilige engelen hebben echter betrekking op een andere situatie. Het gaat hier om de tijd waarin het gevecht echt gaat plaatsvinden. De heilige engelen zijn alleen aanwezig tijdens het gevecht en niet in de tijd dat de strijders zich in het kamp bevinden. Hieruit kan worden geconcludeerd, dat er twee momenten zijn

waarop er wordt besloten wie er aan de eschatologische oorlog mag deelnemen. De eerste selectie vindt plaats wanneer de strijders uit Jeruzalem vertrekken naar de kampen. Een tweede selectie vindt plaats aan de vooravond van de strijd. In deze laatste situatie moeten strijders niet alleen praktisch in staat zijn om te vechten, maar ze moeten een staat van rituele reinheid hebben om in de aanwezigheid van de heilige engelen te mogen verkeren. De eis van rituele reinheid in de periode dat de strijders in het kamp aanwezig zijn, is praktisch niet haalbaar en dus niet verplicht. Het is namelijk zo dat iemand gemakkelijk ritueel onrein kan worden. De *Rol van de Oorlog* beweert daarom niet, dat mensen met een lichamelijke onvolmaaktheid niet worden toegelaten tot de kampen omdat ze onrein zijn. Hun diskwalificatie komt voort uit praktische overwegingen.

In Hoofdstuk 5 wordt een wet bestudeerd in *Sommige Werken van de Wet* (4QMMT B 49-54) die blinde en dove priesters verbiedt om in het heiligdom te offeren. In eerste instantie leiden tekstuele onzekerheden over de woorden *מכל תערובת ותערובת אשם אינם רואים* in 4QMMT B 50-51 tot problemen bij de juiste interpretatie van het betreffende voorschrift. Door de zin in twee delen te splitsen kan het probleem worden opgelost. Een andere moeilijkheid van het voorschrift in 4QMMT B 49-54 betreft de identificatie van de blinde en dove mensen. Het is niet meteen duidelijk of het voorschrift alleen is bedoeld voor priesters of voor leken. Het proefschrift toont aan, dat het voorschrift alleen betrekking heeft op priesters. De passage gaat over handelingen die in de sfeer van het heiligdom worden uitgevoerd. Omdat de auteur van MMT bezorgd was over het actieve contact dat een blinde had met mengels in de sfeer van de tempel, is het aannemelijk dat het hier gaat over het uitvoeren van rituele handelingen. Gelovigen komen naar het heiligdom, maar ze mogen geen offers brengen. Een vergelijking tussen 4QMMT en het voorschrift in Lev 21:16-23 toont aan dat beide teksten bezorgd zijn over het op correcte wijze uitvoeren van het offerritueel. In Leviticus is het echter zo, dat iedere vorm van lichamelijke onvolmaaktheid een priester ongeschikt maakt om te offeren. De lichamelijke onvolmaaktheid zelf is een bedreiging voor het heiligdom. In 4QMMT gaat het niet over de handicap op zich die kan leiden tot ontheiliging, maar om de beperkingen die iemand ondervindt vanwege zijn lichamelijke onvolmaaktheid. In MMT heeft iemands lichamelijke verschijning geen invloed op de geldigheid van een offer, zolang het een priester maar niet hindert in het op correcte wijze uitvoeren van het offerritueel.

Hoofdstuk 6 bespreekt twee passages in de *Tempelrol* die over lichamelijke onvolmaaktheid gaan. De duidelijkste verwijzing naar lichamelijke onvolmaaktheid in de *Tempelrol* is die in 11QT<sup>a</sup> 45:12-14. Deze passage ontzegt blinde mensen de toegang tot de heilige stad omdat ze deze kunnen verontreinigen. Het is niet duidelijk waarom 11QT<sup>a</sup> 45 alleen blindheid noemt als een voorbeeld van lichamelijke onvolmaaktheid. Een tweede kopie van de *Tempelrol* (11QT<sup>b</sup> 12 frag. 21 i) werpt geen nieuw licht op de kwestie. De *Tempelrol* verbant blinde en ritueel onreine mensen uit de gehele stad. Dit lijkt op het eerste gezicht problematisch, omdat een normaal leven in een echte stad niet mogelijk is wanneer er geen rituele onreinheid wordt toegestaan. De oplossing voor deze kwestie kan worden gevonden als men ervan uitgaat dat de voorschriften in de *Tempelrol* alleen bedoeld zijn voor pelgrims. Het is mogelijk om onreinheid uit de weg te gaan tijdens een pelgrimstocht, maar niet in het gehele leven. De *Tempelrol* wekt de indruk een strengere houding ten opzichte van blinden aan te nemen dan de andere Dode-Zeerollen. Het voorschrift dat blinde mensen niet in de heilige stad mogen komen, staat tussen voorschriften die allerlei soorten ritueel onreine mensen weren uit de heilige stad. Volgens 1QT<sup>a</sup> 45:13 kunnen blinden de stad verontreinigen. Dit wijst er sterk op dat de auteur van de *Tempelrol* blinden als ritueel onrein beschouwde. Een andere passage in de *Tempelrol* laat echter zien dat er een iets minder strenge interpretatie mogelijk is. 11QT<sup>a</sup> 35:2-9 weert bepaalde groepen uit de binnenste hof en stelt dat deze mensen de toegang wordt ontzegd omdat ze het heiligdom zouden kunnen verontreinigen. Tot deze groepen behoren priesters die niet gepast gekleed zijn en mensen die geen priester zijn. Het is mogelijk dat de tekst het ook over lichamen onvolmaakte en onreine priesters heeft. Het fragment is echter erg beschadigd en daarom kan dit worden vermoed, maar niet bewezen. Iemand die niet gepast gekleed is, maar niet onrein, kan het heiligdom verontreinigen. Hieruit blijkt, dat het verontreinigen van het heiligdom of de stad kan gebeuren door personen die niet op zichzelf onrein zijn, maar die alleen niet gekwalificeerd zijn om in de heilige ruimtes te komen. Het is daarom niet met zekerheid vast te stellen dat de blinde pelgrims in 11QT<sup>a</sup> 45:12-14 werden buitengesloten omdat ze als onrein werden beschouwd.

In Hoofdstuk 7 worden de conclusies van dit proefschrift gepresenteerd. Uit het proefschrift blijkt dat alle onderzochte documenten eensgezind zijn in het uitsluiten van lichamen gehandicapte mensen. Interessant is echter, dat de situaties waarvan deze mensen worden

uitgesloten verschillen en dat de regels voor uitsluiting op verschillende groepen van toepassing zijn. Zo zijn er regels die alleen gelden voor gehandicapte priesters en niet voor leken, en andersom. Eén belangrijke reden voor uitsluiting is praktisch van aard: een blinde priester mag niet offeren om te voorkomen dat hij iets verkeerd doet. Een andere belangrijke reden heeft te maken met hiërarchie. Gehandicapte leden in de gemeenschap hadden een lagere status dan mensen zonder handicap. Hoewel men misschien zou denken dat deze lagere status te maken heeft met een staat van rituele onreinheid, blijkt uit het proefschrift dat dit niet het geval is. Iemands lichamelijke onvolmaaktheid leidt tot een mindere staat van heiligheid en maakt hem daarom minder geschikt voor bepaalde activiteiten dan iemand zonder handicap. Ondanks het feit dat de Dode-Zeerollen in sommige situaties een negatieve houding aannemen ten opzichte van mensen met een lichamelijke onvolmaaktheid, laten ze ook een positief aspect zien. Het proefschrift heeft aangetoond dat teksten die gehandicapten buitensluiten van bepaalde situaties juist in andere situaties speciale sociale of financiële maatregelen treffen om hen te helpen.

## **CURRICULUM VITAE**

Johanna (Anke) Helena Wilhelmina Dorman werd op 27 april 1976 geboren in Almelo. Haar jeugd bracht ze door in Vriezenveen. Na de lagere school bezocht ze van 1988 tot 1994 het Christelijk Lyceum in Almelo, dat in het jaar van haar eindexamen gymnasium na een fusie de naam CSG 'Het Noordik' kreeg. Van 1994 tot 2001 studeerde ze Godgeleerdheid aan de Rijksuniversiteit Groningen. Tijdens haar studie verbleef ze een half jaar in Göttingen waar ze aan de theologische faculteit van de Georg August Universität studeerde bij prof. dr. R. Smend en prof. dr. H. Stegemann. De studie werd in 2001 afgesloten bij dr. J.T.A.G.M. van Ruiten met een doctoraalscriptie getiteld: "Noach en Mozes: een intertekstueel onderzoek naar de visie op het verbond in Genesis 8:20-9:17 en Jubileeën 6:1-38". Van 2001 tot 2006 was ze als promovenda verbonden aan het Qumran Instituut van de faculteit Godgeleerdheid en Godsdienstwetenschap van de Rijksuniversiteit Groningen. Ze woont met haar man en dochter in Amersfoort.